

WITHDRAWAL OF CERTAIN LANDS FROM MINERAL LEASING

HEARING BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE NINETY-SEVENTH CONGRESS SECOND SESSION

ON

S. 2801

A BILL TO WITHDRAW CERTAIN LANDS FROM MINERAL LEASING, AND
FOR OTHER PURPOSES

H.R. 6542

AN ACT TO WITHDRAW CERTAIN LANDS FROM MINERAL LEASING,
AND FOR OTHER PURPOSES

SEPTEMBER 23, 1982

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WITHDRAWAL OF CERTAIN LANDS FROM MINERAL LEASING

THURSDAY, SEPTEMBER 23, 1982

U.S. SENATE,
SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, D.C.

The subcommittee met, pursuant to notice, at 9:05 a.m., in room 3110, Dirksen Office Building, Hon. Malcolm Wallop, presiding.

Present: Senators Wallop, McClure, Domenici, Warner, Murkowski, Nickles, Jackson, and Melcher.

Also present: Tony Bevinetto, professional staff member; and Thomas B. Williams, professional staff member for the minority.

OPENING STATEMENT OF HON. MALCOLM WALLOP, A U.S. SENATOR FROM THE STATE OF WYOMING

Senator WALLOP. Good morning, and welcome to this morning's hearing of the Subcommittee on Public Lands and Reserved Water on H.R. 6542 and S. 2801, the Wilderness Protection Act of 1982.

These are identical bills which would immediately and permanently withdraw all lands now in the national wilderness preservation system and all lands so designated in the future except for lands in Alaska from oil and gas, oil shale, coal, phosphate, potassium, sulfur, gilsonite, and geothermal leasing.

These lands which are already scheduled for permanent withdrawal after December 31, 1983, under the Wilderness Act of 1964 total 19.7 million acres. In addition, these bills would also withdraw nearly 15 million more acres of nonwilderness lands as follows—7 million acres of RARE II lands recommended for wilderness, 5.9 million acres of RARE II further planning lands, and 1.8 million acres of congressionally-designated wilderness study areas.

These lands would remain withdrawn until Congress determines otherwise or until the Forest Service decides as a part of its land and forest planning process to release any or all of them for multiple use management.

In addition, these bills will also provide for mineral inventories of withdrawn areas, revocation of withdrawals in the event of urgent national need, protection of valid existing rights, and for no-surface occupancy leasing—slant drilling—of forest or BLM wilderness areas immediately adjacent to potential or producing oil and gas fields.

I have described the general provisions of these bills before us because I think it is essential that everyone understand exactly what

these bills do and do not do. I suspect that many people know this legislation blocks oil and gas leasing and development in wilderness, but they may not be aware that these bills do more than that. They withdraw an additional 15 million acres which Congress has not designated as wilderness although it may or may not in the future.

These bills also withdraw all future wilderness areas which at this point in time is an unknown quantity. I have also read that this legislation does not affect BLM lands, and that is incorrect. These bills withdraw existing BLM wilderness which amounts to about 12,000 acres, and withdraws any future BLM wilderness areas which Congress may designate.

At this time there are 47 known leases in existing wilderness areas. Most of these leases were let under past administrations. Some have been let under this one. Many lease applications are pending on existing wilderness areas, and I am inserting a list of existing leases in wilderness and the dates upon which they were issued into the hearing record.

The issue of oil and gas leasing in wilderness areas has become an emotional one, but that does not excuse us from taking a careful, objective look at the bills before us today, and their impact.

Strong public opposition has been voiced to oil rigs in the wilderness. I personally oppose oil and gas leasing and development in wilderness areas, and with others have urged both the oil industry and this administration not to press for development in wilderness areas.

Now I was pleased when Secretary Watt agreed not to issue any leases throughout this session of Congress so we would have a chance to review the issue. I believe, like others, that the areas which make up our national wilderness preservation system are some of America's most beautiful and wondrous areas and have been set aside to preserve their pristine condition and they should remain that way barring urgent national need, so while I agree with the provisions of the bill affecting wilderness, I must express my concern about the additional nonwilderness withdrawal.

I would hope that we can get some discussion about the cumulative impact of this bill on our Nation's present and potential energy needs. GAO has estimated that out of 410 million acres controlled by the Federal Government in the lower 48 States, approximately 64 million acres are now closed to oil and gas leasing. Wilderness programs of the Forest Service could close at a minimum an additional 33 million acres to new mineral development after 1983.

GAO estimates that as much as 55 percent of these withdrawn lands have some likelihood of oil and gas, and it recommended in a February 1981 report, that the Nation's need for more oil and gas development from Federal lands will not be met unless Federal agencies act to make more lands now closed to leasing available for oil and gas development. I will insert a summary of that report in the hearing record.

In addition, this bill does nothing to resolve the management limbo arising from the Forest Service's RARE II recommendations. As a result of RARE II, many forestlands remain subject to lawsuits which could block responsible development on millions of ad-

ditional acres, and the bill does not address how long RARE II lands can be managed as wilderness or other wilderness questions equally important in some states.

There are a great many witnesses here today. In the interests of time I must insist that witnesses keep their oral statements to not more than 5 minutes. The entire written statements of witnesses will be included in the official hearing record.

Senator Jackson?

[The texts of S. 2801, H.R. 6542, and the GAO summary follow:]

97TH CONGRESS
2D SESSION

S. 2801

To withdraw certain lands from mineral leasing, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 3 (legislative day, JULY 12), 1982

Mr. JACKSON introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To withdraw certain lands from mineral leasing, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SHORT TITLE

4 SECTION 1. This Act may be cited as the "Wilderness
5 Protection Act of 1982".

6 WITHDRAWALS

7 SEC. 2. Except as specifically provided in this Act, not-
8 withstanding any other provision of law—

9 (a) lands designated by Congress as components of
10 the National Wilderness Preservation System are
11 hereby withdrawn from disposition under all laws per-

1 taining to oil, gas, oil shale, coal, phosphate, potas-
2 sium, sulphur, gilsonite, and geothermal leasing, and
3 all amendments thereto;

4 (b) lands within the national forest system which
5 have been recommended for designation as wilderness
6 in Executive Communication 1504, Ninety-sixth Con-
7 gress (House Document Numbered 96-119) are hereby
8 withdrawn from disposition under all laws pertaining to
9 oil, gas, oil shale, coal, phosphate, potassium, sulphur,
10 gilsonite, and geothermal leasing, and all amendments
11 thereto, until Congress determines otherwise or until a
12 revision of the initial plans required by the Forest and
13 Rangeland Renewable Resources Planning Act of 1974
14 as amended by the National Forest Management Act of
15 1976 is implemented recommending the land concerned
16 for other than wilderness designation, whichever comes
17 first;

18 (c) wilderness study areas designated by act of
19 Congress are hereby withdrawn from disposition under
20 all laws pertaining to oil, gas, oil shale, coal, phos-
21 phate, potassium, sulphur, gilsonite, and geothermal
22 leasing, and all amendments thereto for the period of
23 interim wilderness protection and management of such
24 wilderness study areas contained in the act of Congress
25 designating such wilderness study areas;

1 (d) lands within the national forest system identi-
2 fied for further planning in Executive Communication
3 1504, Ninety-sixth Congress (House Document Num-
4 bered 96-119) are hereby withdrawn from disposition
5 under all laws pertaining to oil, gas, oil shale, coal,
6 phosphate, potassium, sulphur, gilsonite, and geother-
7 mal leasing, and all amendments thereto, until one
8 year after the date of final approval and implementa-
9 tion of an initial forest plan covering the further plan-
10 ning area concerned pursuant to the Forest and
11 Rangeland Renewable Resources Planning Act of 1974
12 as amended by the National Forest Management Act of
13 1976: *Provided, however,* That if any further planning
14 area is recommended for wilderness in such initial plan
15 it shall remain withdrawn for the period specified for
16 recommended wilderness areas in subsection (b) of this
17 section.

18 EXCEPTED LANDS

19 SEC. 3. The withdrawal and other provisions of this Act
20 shall not apply to—

21 (a) any national forest system land released to
22 management for any uses the Secretary concerned
23 deems appropriate through the land management plan-
24 ning process by any statewide or other Act of Con-
25 gress designating components of the National Wilder-

1 ness Preservation System now in effect or hereinafter
2 enacted;

3 (b) lands designated as congressional wilderness
4 study areas in Colorado by sections 105 and 106 of the
5 Act of December 22, 1980 (Public Law 96-560), lands
6 designated as congressional wilderness study areas in
7 New Mexico by section 103 of the Act of December
8 19, 1980 (Public Law 96-550), or to lands within the
9 River of No Return Wilderness, Idaho, which are sub-
10 ject to section 4(d)(1) of the Central Idaho Wilderness
11 Act of 1980 (Public Law 96-312);

12 (c) Bureau of Land Management wilderness study
13 areas, which have been identified pursuant to section
14 603 of the Federal Land Policy and Management Act
15 of 1976 (Public Law 94-579); or

16 (d) lands in the State of Alaska.

17 PROSPECTING AND INVENTORIES

18 SEC. 4. (a) Nothing in this Act shall prevent the Secre-
19 tary of Agriculture or Interior from issuing under their exist-
20 ing authority in any area of national forest or public lands
21 withdrawn pursuant to section 2 of this Act such permits as
22 may be necessary to conduct prospecting, seismic surveys,
23 and core sampling conducted by helicopter or other means
24 not requiring construction of roads or improvement of exist-
25 ing roads or ways, for the purpose of gathering information

1 about and inventorying energy, mineral, and other resource
2 values of such area, if such activity is carried out in a manner
3 compatible with the preservation of the wilderness environ-
4 ment: *Provided, however,* That seismic activities involving
5 the use of explosives shall not be permitted in designated
6 wilderness areas.

7 (b) The Secretary of the Interior shall augment recur-
8 ring surveys of the mineral values of wilderness areas pursu-
9 ant to section 4(d)(2) of the Wilderness Act and acquire
10 information on other national forest and public land areas
11 withdrawn pursuant to this Act, by conducting, in conjunc-
12 tion with the Secretary of Energy, the national laboratories,
13 or other Federal agencies, as appropriate, such mineral in-
14 ventories of areas withdrawn pursuant to section 2 of this
15 Act as he deems appropriate. These inventories shall be con-
16 ducted in a manner compatible with the preservation of the
17 wilderness environment through the use of methods including
18 core sampling conducted by helicopter; geophysical tech-
19 niques such as induced polarization, synthetic aperture radar,
20 magnetic and gravity surveys; geochemical techniques includ-
21 ing stream sediment reconnaissance and X-ray defraction
22 analysis; land satellites; or any other methods he deems ap-
23 propriate. The Secretary of the Interior is hereby authorized
24 to conduct inventories or segments of inventories, such as
25 data analysis activities, by contract with private entities

1 deemed by him to be qualified to engage in such activities
2 whenever he has determined that such contracts would de-
3 crease Federal expenditures and would produce comparable
4 or superior results.

5 (c) The Secretary of the Interior and the Secretary of
6 Agriculture may prescribe such regulations, as they deem
7 necessary, to insure that confidential, privileged, or propri-
8 etary information obtained by them or any officer or em-
9 ployee of the United States under this Act is not disclosed.

10 RECOMMENDATIONS OF THE PRESIDENT TO CONGRESS

11 SEC. 5. (a) At any time after the date of enactment of
12 this Act, the President may transmit a recommendation to
13 Congress that minerals prospecting, exploration, develop-
14 ment, or extraction not permitted under this Act shall be per-
15 mitted in a specified area or areas withdrawn pursuant to
16 section 2 of this Act. Notice of such transmittal shall appear
17 in the Federal Register and shall be conveyed to the Gover-
18 nor of the State in which the area or areas are located.

19 (b) A recommendation may be transmitted to the Con-
20 gress under subsection (a) if the President finds that, based
21 on available information—

22 (1) there is an urgent national need for the miner-
23 als activity; and

24 (2) such national need outweighs the other public
25 values of the wilderness lands involved and the poten-

1 tial adverse environmental impacts which are likely to
2 result from the activity.

3 (c) Together with a recommendation, the President shall
4 submit to the Congress—

5 (1) a report setting forth in detail the relevant fac-
6 tual background and the reasons for his findings and
7 recommendations;

8 (2) a statement of the conditions and stipulations
9 which would govern the recommended activity; and

10 (3) in any case in which an environmental impact
11 statement is required under the National Environmen-
12 tal Policy Act of 1969, a statement which complies
13 with the requirements of section 102(2)(C) of that Act.

14 (d) Any recommendation made pursuant to this section
15 shall take effect only upon enactment of a joint resolution
16 approving such recommendation.

17 VALID EXISTING RIGHTS

18 SEC. 6. All provisions of this Act shall be subject to
19 valid existing rights.

20 SEC. 7. The Secretary of the Interior is authorized to
21 issue oil and gas leases for the subsurface of national forest or
22 public land wilderness areas that are immediately adjacent to
23 producing oil and gas fields or areas that are prospectively
24 valuable. Such leases shall allow no surface occupancy and
1 may be entered only by directional drilling from outside the
2 wilderness or other nonsurface disturbing methods.

97TH CONGRESS
2D SESSION

H. R. 6542

IN THE SENATE OF THE UNITED STATES

AUGUST 16, 1982

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To withdraw certain lands from mineral leasing, and for other
purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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1 sium, sulphur, gilsonite, and geothermal leasing, and
2 all amendments thereto;

3 (b) lands within the national forest system which
4 have been recommended for designation as wilderness
5 in Executive Communication 1504, Ninety-sixth Con-
6 gress (House Document Numbered 96-119) are hereby
7 withdrawn from disposition under all laws pertaining to
8 oil, gas, oil shale, coal, phosphate, potassium, sulphur,
9 gilsonite, and geothermal leasing, and all amendments
10 thereto, until Congress determines otherwise or until a
11 revision of the initial plans required by the Forest and
12 Rangeland Renewable Resources Planning Act of 1974
13 as amended by the National Forest Management Act of
14 1976 is implemented recommending the land concerned
15 for other than wilderness designation, whichever comes
16 first;

17 (c) wilderness study areas designated by act of
18 Congress are hereby withdrawn from disposition under
19 all laws pertaining to oil, gas, oil shale, coal, phos-
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21 leasing, and all amendments thereto for the period of
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24 designating such wilderness study areas;

1 (d) lands within the national forest system identi-
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4 bered 96-119) are hereby withdrawn from disposition
5 under all laws pertaining to oil, gas, oil shale, coal,
6 phosphate, potassium, sulphur, gilsonite, and geother-
7 mal leasing, and all amendments thereto, until one
8 year after the date of final approval and implementa-
9 tion of an initial forest plan covering the further plan-
10 ning area concerned pursuant to the Forest and
11 Rangeland Renewable Resources Planning Act of 1974
12 as amended by the National Forest Management Act of
13 1976: *Provided, however,* That if any further planning
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15 it shall remain withdrawn for the period specified for
16 recommended wilderness areas in subsection (b) of this
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22 management for any uses the Secretary concerned
23 deems appropriate through the land management plan-
24 ning process by any statewide or other Act of Con-
25 gress designating components of the National Wilder-

1 ness Preservation System now in effect or hereinafter
2 enacted;

3 (b) lands designated as congressional wilderness
4 study areas in Colorado by sections 105 and 106 of the
5 Act of December 22, 1980 (Public Law 96-560), lands
6 designated as congressional wilderness study areas in
7 New Mexico by section 103 of the Act of December
8 19, 1980 (Public Law 96-550), or to lands within the
9 River of No Return Wilderness, Idaho, which are sub-
10 ject to section 4(d)(1) of the Central Idaho Wilderness
11 Act of 1980 (Public Law 96-312);

12 (c) Bureau of Land Management wilderness study
13 areas, which have been identified pursuant to section
14 603 of the Federal Land Policy and Management Act
15 of 1976 (Public Law 94-579); or

16 (d) lands in the State of Alaska.

17 PROSPECTING AND INVENTORIES

18 SEC. 4. (a) Nothing in this Act shall prevent the Secre-
19 tary of Agriculture or Interior from issuing under their exist-
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21 withdrawn pursuant to section 2 of this Act such permits as
22 may be necessary to conduct prospecting, seismic surveys,
23 and core sampling conducted by helicopter or other means
24 not requiring construction of roads or improvement of exist-
25 ing roads or ways, for the purpose of gathering information

1 about and inventorying energy, mineral, and other resource
2 values of such area, if such activity is carried out in a manner
3 compatible with the preservation of the wilderness environ-
4 ment: *Provided, however,* That seismic activities involving
5 the use of explosives shall not be permitted in designated
6 wilderness areas.

7 (b) The Secretary of the Interior shall augment recur-
8 ring surveys of the mineral values of wilderness areas pursu-
9 ant to section 4(d)(2) of the Wilderness Act and acquire
10 information on other national forest and public land areas
11 withdrawn pursuant to this Act, by conducting, in conjunc-
12 tion with the Secretary of Energy, the national laboratories,
13 or other Federal agencies, as appropriate, such mineral in-
14 ventories of areas withdrawn pursuant to section 2 of this
15 Act as he deems appropriate. These inventories shall be con-
16 ducted in a manner compatible with the preservation of the
17 wilderness environment through the use of methods including
18 core sampling conducted by helicopter; geophysical tech-
19 niques such as induced polarization, synthetic aperture radar,
20 magnetic and gravity surveys; geochemical techniques includ-
21 ing stream sediment reconnaissance and X-ray defraction
22 analysis; land satellites; or any other methods he deems ap-
23 propriate. The Secretary of the Interior is hereby authorized
24 to conduct inventories or segments of inventories, such as
25 data analysis activities, by contract with private entities

1 deemed by him to be qualified to engage in such activities
2 whenever he has determined that such contracts would de-
3 crease Federal expenditures and would produce comparable
4 or superior results: *Provided*, That authority to enter into
5 contracts, to incur obligations, or to make payments under
6 this subsection shall be effective only to the extent or in such
7 amounts as are provided in advance in appropriation Acts.

8 (c) The Secretary of the Interior and the Secretary of
9 Agriculture may prescribe such regulations, as they deem
10 necessary, to insure that confidential, privileged, or propri-
11 etary information obtained by them or any officer or em-
12 ployee of the United States under this Act is not disclosed.

13 RECOMMENDATIONS OF THE PRESIDENT TO CONGRESS

14 SEC. 5. (a) At any time after the date of enactment of
15 this Act, the President may transmit a recommendation to
16 Congress that minerals prospecting, exploration, develop-
17 ment, or extraction not permitted under this Act shall be per-
18 mitted in a specified area or areas withdrawn pursuant to
19 section 2 of this Act. Notice of such transmittal shall appear
20 in the Federal Register and shall be conveyed to the Gover-
21 nor of the State in which the area or areas are located.

22 (b) A recommendation may be transmitted to the Con-
23 gress under subsection (a) if the President finds that, based
24 on available information—

1 (1) there is an urgent national need for the miner-
2 als activity; and

3 (2) such national need outweighs the other public
4 values of the wilderness lands involved and the poten-
5 tial adverse environmental impacts which are likely to
6 result from the activity.

7 (c) Together with a recommendation, the President shall
8 submit to the Congress—

9 (1) a report setting forth in detail the relevant fac-
10 tual background and the reasons for his findings and
11 recommendations;

12 (2) a statement of the conditions and stipulations
13 which would govern the recommended activity; and

14 (3) in any case in which an environmental impact
15 statement is required under the National Environmen-
16 tal Policy Act of 1969, a statement which complies
17 with the requirements of section 102(2)(C) of that Act.

18 (d) Any recommendation made pursuant to this section
19 shall take effect only upon enactment of a joint resolution
20 approving such recommendation.

21 VALID EXISTING RIGHTS

22 SEC. 6. All provisions of this Act shall be subject to
23 valid existing rights.

24 SEC. 7. The Secretary of the Interior is authorized to
25 issue oil and gas leases for the subsurface of national forest or

1 public land wilderness areas that are immediately adjacent to
2 producing oil and gas fields or areas that are prospectively
3 valuable. Such leases shall allow no surface occupancy and
4 may be entered only by directional drilling from outside the
5 wilderness or other nonsurface disturbing methods.

Passed the House of Representatives August 12, 1982.

Attest: EDMUND L. HENSHAW, JR.,

Clerk.

By W. RAYMOND COLLEY,

Deputy Clerk.

BY THE COMPTROLLER GENERAL

Report To The Congress

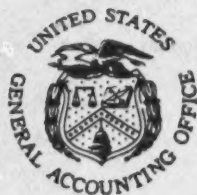
OF THE UNITED STATES

Actions Needed To Increase Federal Onshore Oil And Gas Exploration And Development

The Nation's need for more oil and gas development from Federal lands will not be met unless Federal agencies act to

- make more lands, now closed to leasing, available for oil and gas development,
- reduce the number and severity of lease restrictions which hamper or prevent exploration and development, and
- expedite the processing of Federal leases and drilling permits.

GAO makes congressional and agency recommendations to open more Federal lands to mineral leasing, formulate a minerals policy for military lands, justify the use of surface protection stipulations, and improve the overall Federal oil and gas leasing and drilling permit programs.



EMD-81-40
FEBRUARY 11, 1981

COMPTROLLER GENERAL'S
REPORT TO THE CONGRESS

ACTIONS NEEDED TO INCREASE
FEDERAL ONSHORE OIL AND GAS
EXPLORATION AND DEVELOPMENT

D I G E S T

With the Nation facing continuing prospects of large gaps between consumption of oil and gas and domestic production, the use of Federal lands for energy exploration and development must be an important consideration. Managing these lands involves difficult trade-offs between the often-conflicting issues of development, conservation, and environmental protection.

GAO was asked to examine how the exploration and development of oil and gas from Federal lands could be accelerated. They are hampered by

- the unavailability for leasing of prospectively valuable Federal oil and gas lands,
- the imposition of stipulations on leases which restrict exploration and development, and
- lengthy delays in the approval of Federal leases and drilling permits.

GAO has determined that the first two of these issues are more significant because of the indefinite duration of actions which have closed lands, the severeness of stipulations on leases, the large acreages involved, and their substantial oil and gas potential. Congressional consideration is required to expedite "opening" of these lands and oversee agency actions.

Based on an examination of Federal oil and gas practices in Colorado, Mississippi, Nevada, New Mexico and Wyoming, GAO found that greater opportunities exist nationwide for the Government

EMD-81-40

Tear Sheet. Upon removal, the report cover date should be noted hereon.

to intensify the production of oil and gas from Federal lands.

FEDERAL LANDS CLOSED TO LEASING
HAVE POTENTIAL FOR INCREASING
SUPPLIES OF OIL AND GAS

The Federal Government controls about 410 million acres in the lower 48 States. Of this, approximately 64 million acres have been closed to oil and gas leasing (withdrawn). (See p. 41.) Wilderness programs at the Forest Service could close, at a minimum, an additional 33 million acres to new mineral development after 1983. As much as 55 percent of these withdrawn lands has some likelihood of containing oil or gas. (See ch. 3.)

GAO found that of the 20 million acres withdrawn from leasing in the five States reviewed, over 11 million acres are considered to be potentially valuable for oil and gas. The minimum amount of exploration that has occurred around many of these areas makes reliable resource estimates for withdrawn lands impossible. Recognizing the speculative nature of such estimates, GAO has used 1978 Geological Survey estimates of recoverable resources to calculate that a potential 312.6 million barrels of oil and 156.4 billion cubic feet of gas could be affected by these withdrawals. However, further exploration in many of these areas would be needed to provide better information on the amount of resources involved. (See ch. 4.)

Most of these lands have been formally closed for indefinite periods by law, regulation, Executive order, or public land order. The Department of Defense and the Fish and Wildlife Service controlled the most withdrawn lands considered to have oil and gas potential. These lands deserve early consideration of being reopened. (See ch. 4.)

Federal agencies are also closing lands to oil and gas leasing through management decisions. Such administrative actions account for approximately 6 million of the

20 million acres closed in the States reviewed. (See ch. 4.) As a result of the Federal Land Policy and Management Act of 1976, the Department of the Interior has categorized these "no leasing" decisions as land management decisions rather than withdrawals under this Act. Interior is prohibiting oil and gas leasing on lands without subjecting the decision to formal withdrawal procedures or to congressional review and possible veto. Thus, it is unlikely that the Congress or the Federal Government will be able to readily identify areas closed to leasing unless these single management decisions have affected 100,000 acres or more. Records are not consistently maintained by Interior to keep management abreast of the extent to which "no leasing" decisions are being reached. (See ch. 3.)

Management of mineral activities in potential wilderness areas is being treated differently by the Forest Service and the Bureau of Land Management. (See ch. 3.) Both of these agencies' actions have deferred exploration for oil and gas in potential wilderness areas, and thus, have delayed the development of potential energy resources. By limiting mineral development, these agencies have followed policies which are more restrictive than what the Congress allowed under wilderness legislation. Under the Wilderness Act of 1964 and other wilderness statutes, mineral development is permitted at least until December 31, 1983. Of the 16.5 million acres of potential wilderness in the review States, at least 8.5 million acres are considered to be prospectively valuable for oil and gas. (See ch. 4.)

Interior and the Department of Defense dispute whether the withdrawal application procedures of the Federal Land Policy and Management Act apply to the military. Specifically at issue is the requirement for detailed minerals assessments for all proposed withdrawals. Since the Congress must establish any Defense withdrawal over 5,000 acres, it should clarify

what minerals data will be needed in reaching a decision to set aside lands for military use. (See ch. 3.)

Agencies are now requiring lessees to accept special conditions on leases to ensure protection of surface resources. These stipulations can increase the costs of production for an operator and can act as a disincentive to exploration and development. In the States reviewed, a minimum of 1 million acres of leasable lands are subject to various "no surface occupancy" stipulations. At least 345,000 acres of these restricted lands lie in the Wyoming Overthrust Belt. This data indicates that the practice of restricting surface use on valuable leases or drilling permits is likely to be widespread. (See ch. 4.)

Another category of withdrawn lands exists through the Bureau of Land Management's failure to reoffer expired leases in the simultaneous leasing system (the lottery). GAO found 1,070 leases on at least 830,000 acres of Federal land which had been withheld from leasing in GAO's review States. (See ch. 4.)

DELAYS IN APPROVAL OF FEDERAL
LEASES COULD DEFER OIL AND
GAS DEVELOPMENT

Lease applications in the States GAO reviewed encountered a variety of delays. Agencies for various reasons are not managing their programs in a manner to secure optimum exploration and development efforts on Federal lands. In part, this is due to the fact that Federal oil and gas programs are in competition with other resource management programs for scarce funds and manpower.

At least 3,995 (55 percent) of the pending lease applications in the review States as of December 31, 1979, were over 4 months old. In addition, 33 percent of the leases issued by

the Bureau of Land Management in 1979 were delayed. The length of delays varied by type of lease and by State. (See ch. 5.)

Most delays in lease approvals were due to Federal actions. The Bureau itself delayed half the sampled cases during lease processing because of inaction, lack of followup, and mailing errors. The Bureau has not established time frames or agreements with other agencies to facilitate lease processing.

Other delays were due to environmental analyses, deferral of leasing in study areas, title work by surface management agencies, and miscellaneous reasons. (See ch. 5.) Environmental assessments have been done on many leases which are never developed. Such assessments can be time-consuming and repetitive for Bureau staff, especially when done for each stage of oil and gas activity. Therefore, GAO believes assessments could be deferred until actual surface disturbance for oil and gas activity is planned on the lands. Unlike withdrawals, leasing delays only defer possible production for temporary periods.

DELAYS IN APPROVING FEDERAL
DRILLING PERMITS AFFECT OIL
AND GAS PRODUCTION

Forty-seven percent of the 1,749 drilling permits approved in 1979 by the U.S. Geological Survey in our review States were "delayed." In addition, 63 percent of the 553 permits pending as of December 31, 1979, were more than 30 days old. (See ch. 6.)

Delays occurred at all stages of the Geological Survey's permit processing. The most common delays involved: obtaining information from applicants, securing archaeological clearances, and receiving surface protection recommendations from Federal agencies on the operator's drilling plans. GAO believes improving the present permit system by clarifying operator requirements and establishing processing time frames will eliminate many of these delays. (See ch. 6.)

GAO believes remedial steps are necessary if Federal agencies are to increase oil and gas activity on Federal lands. (See ch. 7.)

RECOMMENDATIONS
TO THE CONGRESS

The Department of the Interior's use of land management decisions under section 202(e) of the Federal Land Policy and Management Act to close lands to mineral leasing may have an effect similar to withdrawals under section 204 of the statute. Therefore, the Congress should determine whether it wishes to be excluded from the review and possible disapproval of such decisions. If not, the Congress should amend section 202(e) of the act to provide that management decisions closing lands to mineral leasing and affecting smaller sized tracts should be reported to the Congress. Section 202(e) should be further amended to require that the Department of the Interior submit with each report to the Congress the minerals report described in section 204(c)(2) for withdrawals and any other information required in section 204(c)(2) which the Congress considers appropriate. (See Appendix XVII (A) for text of suggested amendment.)

Because minerals information for military lands is scarce and existing legislation does not require that adequate minerals data be available prior to a decision to reserve lands for military purposes, the Congress should amend section 3 of the Engle Act so that the withdrawal information for military applications conforms with the Federal Land Policy and Management Act's section 204(c)(2) requirements for mineral analyses. (See Appendix XVII (B) for text of suggested amendment.)

To increase energy development of potentially valuable Defense lands, the Congress should amend section 6 of the Engle Act to provide that the Secretary of Defense may only determine that oil and gas development is inconsistent

with an installation's military use after the issue has been studied by Defense. The Secretary's decision should be reviewed by the Secretary of the Interior and reported to the Congress. (See Appendix XVII (B) for text of suggested amendment.)

In order to allow for adequate oil and gas exploration in wilderness areas, the Congress should allow leasing in any future wilderness legislation for some reasonable period beyond 1983. In addition, since most existing Service wilderness areas will be closed to new oil and gas leasing after 1983, the Congress should consider whether sufficient minerals information has been developed on these lands which would allow it to still conclude that leasing should be prohibited.

RECOMMENDED AGENCY ACTIONS TO MAKE
MORE LANDS, NOW CLOSED TO LEASING,
AVAILABLE FOR OIL AND GAS DEVELOPMENT

Recommendations to the
Secretary of the Interior

The Secretary of the Interior should:

- Establish criteria on which "no leasing" decisions must be based. The Secretary should also require the Bureau of Land Management to maintain records of "no leasing" decisions adequate enough to permit periodic congressional oversight.
- Require the Bureau to inventory lands which have been closed by management decision to oil and gas leasing. The Bureau should then determine, under section 202(e) of the Federal Land Policy and Management Act, to retain closure only to the extent it can demonstrate that a continuation of the decision not to lease is based on the criteria defined above. Such justification should be supplied by the appropriate surface management agencies.

- Direct the Bureau to give priority to evaluating pre-Engle Act Defense withdrawals under the Bureau's withdrawal review program. Any existing prohibitions on oil and gas leasing should be reviewed and revoked where possible.
- Direct the Geological Survey to review the oil and gas potential of Fish and Wildlife refuges in the lower 48 States, and report its findings to the Bureau and the Fish and Wildlife Service. The Secretary should then seek regulatory changes to make these lands available for leasing in a manner compatible with their fish and wildlife resources, and report his findings to the Congress.
- Direct the Bureau to develop a withdrawal review program, similar to the Federal Land Policy and Management Act's program, to include the remaining 38 States.
- Direct the Bureau to inventory and justify lands withheld from the simultaneous leasing system.

RECOMMENDED AGENCY ACTIONS TO
REDUCE THE NUMBER AND SEVERITY
OF LEASE RESTRICTIONS WHICH
HAMPER OR PREVENT EXPLORATION
AND DEVELOPMENT

Recommendations to the
Secretaries of Agriculture
and the Interior

The Secretaries should direct the Forest Service and the Bureau of Land Management, respectively, to establish standards and criteria for the use of restrictive stipulations, such as surface disturbance and "no surface occupancy" restrictions. Leasable lands should then be inventoried to determine the extent of use of such stipulation and to verify if the stipulation use meets the standards and criteria. Stipulation uses which are determined to be unjustified should be removed.

RECOMMENDED AGENCY ACTIONS TO
EXPEDITE THE FEDERAL PROCESSING
OF OIL AND GAS LEASES AND PERMITS

Recommendations to the
Secretary of Defense

The Secretary of Defense should formulate a minerals policy, consistent with current national energy needs and evaluations of oil and gas potential on affected lands, that will provide guidance to the military services in making installations available to leasing.

Recommendations to the
Secretary of the Interior

The Secretary of the Interior should:

- Direct the Bureau of Land Management to change its guidelines implementing the National Environmental Policy Act to defer the requirement for environmental assessments for oil and gas activities until surface disturbance is proposed.
- Direct the Bureau to establish standard time frames for the completion of lease processing. Such time limits would be incorporated in Bureau manuals and in its planning and budget systems. In cases where the Bureau is unable to process an application in a timely manner (e.g., if over 4 months), notification should be given to the applicant that his lease has been delayed. The Bureau should maintain records to show how many cases are being delayed and report these annually to the Secretary.
- Direct the Bureau to work with surface management agencies to develop cooperative agreements and goals for lease processing. These agreements should clearly state the time by which an agency's report should be received by the Bureau.

- Direct the Bureau to develop a standard followup system for tracking outstanding lease applications.
- Direct the Geological Survey to clearly state in its guidelines (Notice to Lessees No. 6) what the operator is required to submit, such as designation of operator, and unit agreements, to meet the Survey's legal and administrative requirements.
- Direct the Survey to review drilling permit applications and notify an applicant within 7 days of filing date if his application is incomplete.
- Direct the Survey to develop standard procedures for tracking and recording actions taken on Applications for Permit to Drill.
- Direct the Survey to coordinate with operators so that they have an archaeologist available during joint-site inspections, whenever a surface-managing agency requires that an archaeological survey be done prior to drilling.

AGENCY COMMENTS

Comments on a draft of this report were solicited from the Departments of Energy, Defense, Agriculture, and the Interior. Their responses are included as appendixes XIII, XIV, XV, and XVI, to this report and analyzed in chapter 7. The Departments' overall reactions to the report are quite favorable. They conclude that the report is factually accurate and its recommendations are generally appropriate and reasonable.

The Department of Energy suggested a change in the language of one GAO recommendation which was not modified for the final report.

The Department of Agriculture's Forest Service provided substantive and other detailed comments, and where appropriate, GAO has made changes in the report to reflect its views.

The Department of Defense agreed to develop a minerals policy to promote development of energy resources and furnish guidance to the military departments for leasing their lands. Defense disagreed with our recommendation to amend the Engle Act to provide more minerals data in military withdrawal applications.

The Interior Department agrees with most of our recommendations and is presently implementing several of them. However, Interior feels some recommendations which were not planned for in Interior's budget proposals may be difficult to implement. In addition, Interior describes several other initiatives which it believes will improve the oil and gas leasing situation.

**STATEMENT OF HON. HENRY M. JACKSON, A U.S. SENATOR FROM
THE STATE OF WASHINGTON**

Senator JACKSON. Thank you, Mr. Chairman. Let me begin by thanking the chairman of the full committee, Senator McClure, and yourself for agreeing to hold this hearing this morning. You are to be commended for finding time in an already full subcommittee schedule.

I introduced S. 2801 on August 3. The measure is practically identical to the House companion bill which was approved on August 12 by a vote of 340 to 58. S. 2801 has now been sponsored by 54 of our colleagues in the Senate, including 34 Democrats and 20 Republicans. By any measure, this bill truly enjoys wide bipartisan support almost unprecedented for a bill of this type.

It is critical, Mr. Chairman, that the Congress complete action on this measure this year. Secretary Watt has indicated that he interprets the Wilderness Act to mean that he does not have discretion to turn down oil and gas lease applications solely on the ground that oil and gas development would be incompatible with the wilderness. He has suggested that Congress clarify the law if it wishes to clearly enunciate a policy on leasing in the wilderness and wilderness candidate areas.

Mr. Chairman, I was chairman of the committee and a Senate conferee when we passed the Wilderness Act of 1964. I emphatically do not agree with the Secretary's interpretation of the Wilderness Act. However, I do share his view that it is time for action on this matter. To give Congress a chance to act, the Secretary has agreed to a leasing moratorium which is scheduled to expire at the end of this Congress. I commend him for this action, and I applaud his efforts to hold the line while Congress has a chance to examine this issue more closely.

I think the bill before us today provides the Secretary with the specific statutory guidance he has requested, and I think it should be enacted.

Mr. Chairman, I am convinced that the vast majority of the American public does not want oil and gas exploration and development activities to take place in these pristine wild lands. I know that the strong sentiment in my State is that these lands should be last to be leased. The legislation before us today will insure that other lands will be developed first.

Mr. Chairman, in closing I would like to note that in the first three quarters of fiscal year 1982, the Bureau of Land Management has issued oil and gas leases for nearly 30 million acres of public lands. The agency is projecting that by the end of this fiscal year over 35 million acres will have been leased. In other words, in just 1 year, this administration will have leased the equivalent of the total amount of land withdrawn under S. 2801.

Furthermore, 130 million acres are already under lease onshore, in addition to millions of acres leased on the Outer Continental Shelf, and we all know of Secretary Watt's plans to offer hundreds of millions of acres more.

There is no shortage of lands to lease. There is a shortage of wild lands for future generations of Americans to enjoy. I urge my colleagues in the Senate to act favorably on this measure.

Thank you, Mr. Chairman.

Senator WALLOP. Senator McClure?

STATEMENT OF HON. JAMES A. McCLURE, A U.S. SENATOR FROM THE STATE OF IDAHO

The CHAIRMAN. Thank you, Senator Wallop, and thank you, Senator Jackson, for the statements that have been made already.

On September 3, 1964, the Wilderness Act became law. The act provided that for the period ending December 31, 1983, the wilderness areas designated by the Congress would be open to mineral exploration, possible location or leasing of minerals within those boundaries of those areas, and the exploitation of that mineral resource if a profitable economic mineral resource were discovered.

For now almost 19 years nothing has really been done. Nothing very great has happened under that provision. There has been very little exploration, even less of significance with respect to the location or development of minerals during that period of time.

I think it is also fair to say that the Nation has undergone the opportunity for the evolution of public opinion with respect to the preservation of public lands, but at the same time a growing awareness of the vulnerability of this country, the distortion of our domestic and foreign policy because of our dependence upon imported oil.

I say that not because that prejudices the outcome of the debate with respect to oil and gas exploration within wilderness areas, but to focus upon other national priorities which have developed during the same period of time. The public has not yet focused upon the need for or the critical nature of our dependence upon foreign sources of other minerals, and we should. As a nation, we are very, very vulnerable—our security, our economic base—but our security in the event of war is very much affected by our inability to produce the goods that are necessary in time of war, let alone in time of peace, because we import so much of the critical

minerals that are necessary for an industrial, modern industrial society or for the sinews of war if we were to be involved in such a struggle, and there are those that say that we don't need to worry about that. If a war breaks out, then we can go out and find these minerals and we will develop those industries, and after the war breaks out, we will develop all of that industrial base, and that is pure nonsense.

That is also playing Russian roulette with the U.S. security. If there is one thing that I have been concerned about over the period of time that I have served in the Congress, and I was not here when the Wilderness Act passed, but I participated in a great deal of, a great many of, the debates over specific areas in the years that I have been in the House and the Senate, one thing that I have consistently fought for is better information, the opportunity to know what it is we are doing, the opportunity to know what the resources are so that we have a clear perspective of what it is that we are gaining and what it is we are foregoing when we make a management decision with respect to large segments of the public domain, so I am concerned about the mineral inventory.

I applaud Senator Jackson for having included within the bill a provision for the inventory of the areas, for a minerals inventory of what is within the areas, but at the same time I must say that I have to be critical of the fact that this is probably more charade than reality for two reasons.

First of all, it hasn't happened. Second, I have seen some of the mineral inventories that have been taken as we went through resource evaluations before making management decisions. We dropped a couple of geologists at the top of a watershed with a helicopter, they walk down the watershed, picking up little float, and get back to their laboratory and they make the analysis of those interesting specimens, and then they write a learned report that says to the people of this country we know something about what is inside the boundaries, under the surface of the land, and that is pure nonsense, absolute self-deception, so I am a little concerned when we look at an inventory provision that gives us some sense of assurance when as a matter of fact there is no assurance in the provision.

Second, I am concerned as I hope the hearing will focus on the question of how we go about the business of evaluation, particularly with the underground analysis that comes from seismology, seismology without explosives. I am not sure that I understand that term well, and I am not sure that we have yet determined that we can indeed do that with any degree of accuracy, so I have not prejudged this and I don't intend by these remarks to indicate where my full opinion will be at the end of this yearing. It will depend partly upon the evidence that is brought forth by witnesses who have taken the time and trouble to prepare for their testimony today and to come and give us the benefit of their thinking with respect to what has to be done, but again, we have a critical national need to know what it is we are doing, a critical national need to know what the tradeoffs are, and certainly we do also need to make public policy with respect to what will be the management of the wilderness areas following the expiration of the initial period

ending the end of 1983 under the terms of the original Wilderness Act legislation.

I also would understand that the legislation does not prohibit oil and gas leasing within wilderness areas if the exploration can be conducted according to the terms of the legislation and the development to be done by surface acquisition outside the wilderness areas, slant drilling in underground mining if it should be hard rock minerals from the sources outside the wilderness area. I want that to be explored in these hearings, whether that is a realistic provision, whether or not it can be applied or how that will relate to the demand for protection of wilderness areas, so-called buffer zone management on the public lands immediately adjacent to the boundaries of wilderness areas.

This hearing is an important hearing, and I appreciate the fact that Senator Jackson in introducing the bill recognizes the necessity for developing the information upon which we can then make the judgments, and I applaud him for his approach to that question. These hearings will then give us the basis upon which we can legislate with good information and with some wisdom.

Senator JACKSON. Would the Senator yield? I just want to say I am not an absolutist on this. As you know, under the bill that we have before us the geophysical work can go ahead; and in addition, of course, we have the safety valve should there be a major discovery. I think the chairman knows that in the Alaska lands bill I did not hesitate in the national wildlife refuge to provide adequate safeguard if, in fact, that is indeed a part of the so-called Beaufort Sea oil finding. I want to emphasize that, and I just think that the importance of this legislation lies in the fact that there is a hiatus here. The Secretary would like the clarification, but I do believe, Mr. Chairman, the safeguards are there that would make it possible to move into these areas which, if the world situation demands, could offer great promise from a geophysical standpoint. I want to make that very, very clear. But in the meantime, I think it ought to be prioritized so that we have a set of priorities that will safeguard these pristine areas that I sponsored with the late Secretary Clinton Anderson in the Wilderness Act way back in 1964. That was the culmination of a lot of work, and I want to emphasize, too, that bipartisan nature of this.

I am no ideolog, but if it makes sense, I'm for it. If it doesn't, I'm not. That is my ideology.

The CHAIRMAN. I thank the Senator for his statement, and I remember, too, the way in which we approached the problem of the cobalt deposit in central Idaho wilderness which the legislation carefully drafted said that if there is a valuable economic and recoverable cobalt deposit there, even though it is within the boundaries of wilderness, that can be removed with as little surface disturbance as possible by underground mining methods, so, yes, there is a pragmatism, but I think that cobalt deposit question again focuses on one of my concerns.

The only reason that provision was written into that bill was because we knew of that deposit before we legislated. Had we not known of that deposit before we legislated, there would be no such special provision, and hence my concern about the state of our knowledge about what is within the boundaries of the present wil-

derness areas as well as those that are designated for further study and possible future designation.

Senator JACKSON. That is why the geophysical work ought to go on.

The CHAIRMAN. And I want that to be real. I want us to focus on that today as to whether or not it is real. I am concerned about the restriction that was expressed originally in the House legislation and being continued here saying seismic work can continue but you can't use explosives. I don't know whether that is a charade or real, and I think, too, some reference should be made at the outset of the action that Secretary Watt took.

Senator JACKSON. I have a 9:30 meeting. Before I leave, I want to make it clear that this does not apply to hard rock minerals. This only applies to oil and gas leasing. I am talking about the prohibition here in this legislation.

The Chairman. And that I think is important to recognize and I appreciate the statement that is made. However, we will be making probably, we may well make, or reaction taken in this legislation may well indicate the direction that Congress will take with respect to the continuation or cessation of other activities at the end of 1983, so I think there is more involved even though the legislation itself is directed to oil and gas exploration and leasing primarily.

Secretary Watt indicated earlier his willingness to give Congress the time to act to vary from the provisions of the existing law as he views the existing law with respect to exploration and leasing activities. There is some confusion in the mind of some. There is some fear perhaps in the mind of some as to what he meant by that temporary moratorium. In his letter of August 24—excuse me. I was looking at a date on a different letter. His communication to us indicated the moratorium would last through this session of the Congress. Now that it is apparent that there will be a lameduck session there is some confusion in the minds of some as to when this session of Congress ends. There is some confusion in the minds of the Members of Congress as to when this session ends.

Senator DOMENICI. If ever.

The CHAIRMAN. But I believe it will be possible for us to get a clarification from the Secretary as to what his understanding is as to the meaning of that term, and I don't think we are involved in any kind of mortal, political battle over that issue, nor do I think it is necessary to get involved in any kind of a legalistic or political theatrics.

Senator WALLOP. If the Senator will yield on that point, I had a conversation with the Secretary yesterday, and he authorized me to say quite clearly that he supported the provision that was being put in, the continuing resolution about the expenditures of funds, so in effect what he is saying is with regard to designated wilderness, that he supports it through the end of the next fiscal year, so it would make it still held over for action.

The CHAIRMAN. I appreciate that addition, and that again perhaps will indicate that we need not legislate with any sense of panic, that we do have the time to do the kind of job that this committee is noted for doing.

Senator DOMENICI. Mr. Chairman, might I just ask you on that last statement, did you mean through the next fiscal year if the continuing obligation is to December 15?

Senator WALLOP. As I understand it, the provision that is sought on there provides for the next fiscal year.

The CHAIRMAN. The letter that I referred to earlier should have been referenced January 22, addressed to Senator Malcolm Wallop, with respect to the Secretary's decision for the moratorium. If that does continue how long it will continue I think is at least long enough to allow this committee and the Congress to deliberate for whatever period of time we think is necessary to deliberate.

Thank you, Mr. Chairman.

Senator WALLOP. I would ask my colleagues to recall that we have 34 witnesses. I don't want to turn anybody off. I want to have everybody's statement, but I would hope we could get on with it. Senator Domenici.

STATEMENT OF HON. PETE V. DOMENICI, A U.S. SENATOR FROM THE STATE OF NEW MEXICO

Senator DOMENICI. Mr. Chairman, I have to go preside at a committee hearing, and I will try to get back. I have a statement that explains my concerns.

My State is particularly unique. We have 16 designated wilderness areas, 1,402,000 acres. We just recently added 600,000 at my request just within the last 2 or 3 weeks, and I have no apologies for the wilderness system there. We did our own State program last year, the year before last, and while it was very controversial, it is working well.

I do have some concerns about wilderness study areas. While we have 80 million acres of wilderness, there is another 45 million that are BLM and Forest Service that are being considered, and as I understand it, the approach before us in the bill would put the same restrictions on that wilderness study area as it does on wilderness.

Senator WALLOP. Just on BLM wilderness that is designated. It does not cover wilderness study areas within BLM, but there is the indication that it will—congressionally—designated BLM wilderness, and any that may be as it is, is covered in this bill.

Senator DOMENICI. Mr. Chairman, would you make my statement a part of the record and attach to it a letter from my Congressman on the subject, the Forest Service in our State, because they have been part of and involved in the three leases that permit slant drilling underneath one of the wildernesses in New Mexico? They have a limited surface stipulation that I think the staff might find interesting, and then the managers of the Lincoln National Forest have been communicating at length regarding their present interpretation of the law with both citizens and potential applicants, and I think the staff might find that interpretation helpful, and I would ask that you make those documents and my statement part of the record.

Senator WALLOP. Without objection, it will be so ordered.

[The prepared statement of Senator Domenici and letter from Mr. Skeen follow:]

STATEMENT OF HON. PETE V. DOMENICI, A U.S. SENATOR FROM THE STATE OF NEW MEXICO

Mr. Chairman, I will be reviewing today's testimony regarding the Wilderness Protection Act of 1982 (S. 2801) very closely. I wish to compliment the committee for holding this hearing on an important subject to millions of Americans. There are many questions in my mind regarding this legislation and I'm sure today's hearing will provide answers to many of those questions.

I would first like to outline some concerns I have regarding this entire topic and some of the quandries I find myself facing. Today in my state of New Mexico we have three oil and gas leases issued for the Capitan Wilderness area. I would add the point that these leases contained stipulations that forbid surface occupancy. For the record I would place several documents into the record regarding these leases including Forest Service (R-3) Supplemental Forms on the three leases and a letter from my good friend and able colleague Representative Joe Skeen, Representative of the Second Congressional District of New Mexico.

I would add that there are currently 27 other leases which were granted before 1981 in two RARE II further planning areas which later became Wilderness Study Areas.

In the pending lease category there are currently 17 leases that have been applied for in 4 Wilderness areas. I have since learned that 3 will probably be withdrawn by the applicants leaving us with only 3 Wilderness areas to be concerned with.

Pending in Wilderness Study areas are four applications in two W.S.A.'s including three in the Guadalupe Escarpment. Mr. Chairman, at this point I would submit for the record several samples of correspondence the Forest Service has mailed to the general public regarding the issue of oil and gas leases in the Guadalupe Escarpment.

In New Mexico today we have 16 designated Wilderness Areas totaling 1,402,168 acres.

I review these figures and the situation in New Mexico only to show why this bill impacts so greatly on my state. Some of my colleagues do not have to consider the same factors I am forced to when considering the bill that is before us.

I say this meaning only that I must approach this bill from a direction that may be different than my colleagues.

In the first place, just last week a bill I had introduced adding over 6,000 more acres to our nation's wilderness system in New Mexico was passed. During my ten years in the Senate I have been directly responsible for adding over one-third of the current New Mexico acreage that is in the Nation's Wilderness System.

In December of 1980, the New Mexico RARE II Wilderness bill which I sponsored became law adding over 600,000 acres to our wilderness system. That bill was a compromise between what wilderness proponents and multiple use advocates wanted. At the time bill was widely criticized in New Mexico by those on both sides of the issue. I would like to report today that the compromise is working in New Mexico and during the course of the last one and a half years I have heard our New Mexico Act referred to by those who push for a state by state approach.

I apologize to no one for what I have supported in the way of Wilderness programs in New Mexico.

I continue to believe that reasonable men and women working together can work for reasonable Wilderness programs. I would hope that this would be the case with S. 2801. However, the result I seek will depend to a large degree on a number of answers to questions and issues this bill raises.

At this point I would like to outline some of those issues as I see them.

First, as I read current law, we are making major changes in the Wilderness Act, which has served us well for the past 19 years, in an attempt to close a "window of vulnerability" between the end of the 97th Congress and December 31, 1983 deadline on wilderness leasing. I remain unsure as to exactly what the current "clear and present danger" to our wilderness system is and why Section 204(e) of the Federal Land Policy and management Act cannot be continued to be utilized by Congress.

Another area that concerns me is the rational that "release language should be based on a state by state basis but not on a national basis."

I personally believe that in designated wilderness areas there may be some basis for withdrawal from all oil and gas leasing. However, no reading I have ever seen of the 1964 Wilderness Act tells me that non-designated areas were meant to be withdrawn.

To date around 80 million acres of Federal land have been designated as wilderness. Another 44.5 million acres of BLM and Forest Service land are being considered for such designations by Congress and/or the land management agencies.

These are some of my thoughts as we move through this hearing. I am here today to find out what facts I can regarding this legislation. If what I hear today leads me to think that this bill needs modification then that's what I will work for. However, if what I hear convinces me that the Nation needs this bill, I will support it.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 14, 1982.

HON. PETE V. DOMENICI,
U.S. Senate,
Washington, D.C.

DEAR SENATOR DOMENICI: Listening to floor debate is often the basis on which many of us decide how to vote on issues with which we are not overly familiar. For this reason, it is essential the facts be presented properly and not with the intention of misleading Members of Congress.

In the near future you will consider S. 2801, Senator Jackson's wilderness withdrawal bill. Specifically, I am concerned about an error Congressman Udall made during our recent debate of the Wilderness Protective Act (H.R. 6542), which may influence your opinion on the Senate version of the bill. I am sure Congressman Udall's error wasn't intentional, but the final result may be the same.

Congressman Udall said, "... down in New Mexico, two areas in the Capitan Wilderness were actually opened and leases were signed for drilling in the State of New Mexico."

Unfortunately, this statement ignores the facts and implies Secretary Watt permitted leasing in the Capitan Wilderness with the intention of allowing immediate on-surface exploration and production. Those of us familiar with the facts, including Congressman Udall, know this is not true.

It should be understood that leases were approved and issued which do include portions of the Capitan Wilderness, however, contrary to the statement of my colleague from Arizona, these leases do not permit surface occupancy. Therefore, since no one can occupy the surface for the purpose of oil and gas exploration or production, these leases have the same effect as on leases at all. Only those lands below the surface which can be reached by slant drilling from outside the wilderness would be affected.

Similarly, several Members of the House, while speaking in favor of the wilderness bill, claimed Secretary Watt is the first Secretary of the Interior to offer leases in the wilderness regardless of the stipulations. This also is not true.

Thus far, Secretary Watt has issued some five leases with no surface occupancy stipulations. Under President Jimmy Carter, then Secretary Andrus issued twelve leases, and Secretary Morton, during the Nixon Administration, issued six. The total number of leases issued in the wilderness prior to Secretary Watt taking office equaled forty-five.

As expressed previously, my concern is that those of us who ask for time to address our respective legislative bodies must be accurate. If not, we mislead our colleagues, the press, and ultimately, the general public.

I hope this information will be of some assistance to you when considering S. 2801. If I can provide you with any additional information on this matter, please don't hesitate to contact Bob Lamina of my staff at 225-2365.

Sincerely,

JOE SKEEN,
Member of Congress.

Senator WALLOP. Senator Melcher?

STATEMENT OF HON. JOHN MELCHER, A U.S. SENATOR FROM THE STATE OF MONTANA

Senator MELCHER. Thank you very much, Mr. Chairman. I see in the testimony of Secretary Crowell it says there are 1,100 applications for leases in national forest wilderness areas or wilderness study areas covered in the bill. Over half of those are in Montana. I wonder if maybe there are a lot more than 1,100 because the

latest figures I have from people out in Region 1 headquarters indicates there are about 1,100 right in Montana and in areas covered under this bill.

I think what this ought to tell us is that Congress should be looking at these areas and making some decisions, not on those that are in wilderness, but on those that are in RARE II or under study either because of congressional mandate or are recommended for wilderness by RARE II, or for further study under that section, that category of the RARE II process.

Having said that, I want to relate how hard it is to get a delegation together in the State representing all the various interests in the State. We happen to have two Senators and two Congressmen in Montana, and we are just now at this late date, in this Congress ready to make some recommendations on a portion of the areas studied for wilderness, mostly in the category of congressionally mandated study areas. These were in the bill of our former colleague in the Senate and on this committee, Senator Lee Metcalf, so it is very difficult to arrive very quickly at a resolution even when there is only a small delegation from the State here in Congress. There are various interests in the State that all have to be heard and all want to be considered. Such conflict makes for delays in passage of these bills.

As time goes on, however, I hope that Congress can be more prompt and act more expeditiously to get through all the RARE II recommendations and the other parts of study areas that are required to make a decision whether or not it should become part of the National Wilderness Preservation System.

Having said that, however, I want to make it very clear that my own feeling is that on the areas designated as wilderness and already in the wilderness preservation system, should not be leased for oil and gas or other mineral exploration that is mentioned in the bill. So this bill has a lot of merit, and I trust that at least that portion of it will be enacted into law.

We come to another portion that is not covered in the bill, is not mandatory in the bill. If there are some leases in a study area, and there are in Montana, it doesn't make any commonsense at all to go ahead with exploration until a decision is made by Congress whether or not it is going in the wilderness preservation system. There are all kinds of stipulations that will be required by the Forest Service if it goes into the wilderness preservation system.

In my judgment, there won't be any leasing or exploration in any designated wilderness, and I think it is foolhardy to think that if you set aside some national forestland for nondevelopment, that somehow something will happen here in Congress that will allow a practical application of exploration and development in those wilderness areas. I don't think that is going to happen. I think if it is going to happen, it is probably going to be in another generation or two down the road, and I wouldn't even bet on it then.

I think what the people in the oil and gas business need to know is where on public lands, if they get a lease and do some exploration, where they might be permitted to develop. I don't believe that is going to be on wilderness land. I think from a practical standpoint we ought to draw the line, say where it is, and be firm about it and constructive about it so the people who want to invest some

money in oil and gas development know what the rules are before they start investing their money. It doesn't serve anybody any good, let alone the national policy for energy development in this country, to have something happen where it takes a lot of investment and then it doesn't go to fruition because down the road the line is finally drawn and there isn't any development.

From a commonsense standpoint, I think this bill ought to track the same way where there isn't leasing allowed, no exploration should be allowed either.

Senator WALLOP. Senator, 5 minutes.

Senator MELCHER. Mr. Chairman, I think some of these points are important.

The bill is very confusing in some points, and is not consistent in getting into some additional exploration, additional assessment, giving greater authority, the word is "augmented," to the Secretary of the Interior, to make additional studies. What that is going to lead to I don't know, but I don't think it is very consistent in the bill.

Furthermore, there is a question of whether or not in some sections of the bill the Forest Service or the Department of Agriculture, meaning the Forest Service, is deliberately left out. Since this is all national forestland, I don't know how you can have any commonsense basis for leaving the Forest Service out. The bill seems to say the Secretary of the Interior is going to make all the decisions on some land that is national forest land. Those decisions should be made by the Forest Service first, before the Secretary of the Interior is allowed to make the leases or any other designation.

Thank you, Mr. Chairman.

Senator WALLOP. Senator Nickles?

STATEMENT OF HON. DON NICKLES, A U.S. SENATOR FROM THE STATE OF OKLAHOMA

Senator NICKLES. Thank you, Mr. Chairman. Thank you. I will try to keep my remarks brief, but I do think this issue is extremely important for all of us that are here today, and certainly is important for our country.

I think each of us is very concerned about our environment and the quality of our environment, our Nation's energy independence, and also the American consumer. This issue is far too important to be decided for political purposes and/or to be influenced by emotional responses or misunderstandings.

I think it is important that all the facts be known and once known, they must be carefully examined and weighed. The decision should then be based on the macro effect and not on any narrow reference point. For this reason, I am pleased to see the distinguished list of witnesses that we have scheduled to testify before the committee today.

I have examined Senate bill 2801, and I believe the bill as written today is an unbalanced approach to this issue. What looks like a fair compromise between conflicting interests when given a superficial glance emerges as a one-sided prohibitive, backward step bearing closer scrutiny. Congress was clear in its intent in the explicit language in the 1964 Wilderness Act when it states that wil-

derness areas would remain open to mineral leasing, exploration, and development until 1984. Today such industrial activity has occurred in a reasonable manner and has protected wilderness value and restored land to the national estate.

I think Senate bill 2801 ignores this precedent and also the defined record of past accomplishments. Rather Senate bill 2801 expands the scope of the act by banning issuance of mineral leases from not only wilderness areas but also from, or it adds wilderness study areas, and also wilderness candidate areas.

Current law allows for an accurate inventory to be made of the Nation's mineral resources in wilderness areas. That inventory can now be made without any detrimental long-term effects on the environment. Senate bill 2801 would prohibit any accurate inventories being made. As a result, it would be overly-restrictive limitation on the type of inventory activities which would be allowed.

I am also discouraged greatly by the lack of release language which is in Senate bill 2801. This bill would lock up lands which are merely under study or recommendation. Land must either be designated as wilderness or released for multiple use. It is inequitable to assume that areas under study should be treated as wilderness. If that case were clear, it would not take year after year of study, so you can see, Mr. Chairman, I do have some serious reservations over this bill as it is presently written.

The bill in my opinion does interfere with the wilderness study process and it also ignores the recent state-of-art of drilling and exploration techniques. It breaks promises by changing the course upon which bank investments were made, and in my opinion it will have a harmful effect toward our energy independence.

I am grateful and supportive of our Nation's wilderness. I do not want to view that system in a vacuum. I really don't want to ignore the facts. I am willing to work with anyone to see that we take a balanced approach toward wilderness areas, one which will preserve those areas for future generations but at the same time acknowledging the need for accurate inventories of mineral resources, and the fact that such exploration and extraction can be accomplished without permanent harm.

I thank the Chairman.

Senator WALLOP. I would ask my colleagues. Senator Stafford has indicated he has a 10 o'clock deadline. Without objection from the committee, we will indulge his testimony.

STATEMENT OF HON. ROBERT T. STAFFORD, A U.S. SENATOR FROM THE STATE OF VERMONT

Senator STAFFORD. Mr. Chairman and members of the committee, I very much appreciate your courtesy and the opportunity to appear before you this morning and express my support for this bill which I cosponsor. I do have a 10 o'clock deadline for another committee which I chair.

Many perceive the question of oil and gas leases in wilderness as a Western issue, but it is not. Lease applications are pending I believe in 13 States east of the 100th meridian, including my own State of Vermont.

Senator WALLOP. Would you move that microphone up? The microphones in this room are very poorly oriented.

Senator STAFFORD. What I said so far doesn't make much difference anyway, Mr. Chairman! Let me repeat this part, though. Lease applications I believe are pending in 13 States east of the 100th meridian, including my own State of Vermont. I would like to discuss the leasing situation in Vermont, being unashamedly parochial about it.

On June 30, officials who run the Green Mountain National Forest announced that they had consented to issue leases for oil and gas exploration and conceivably development on 273,000 acres without any environmental impact statement at all. This parcel represents all the Federal forest acreage in Vermont except for 20,000 acres that make up our two existing wilderness areas, and some municipal watersheds. In these areas, the decision to lease was postponed but not denied.

Vermont, as you know, Mr. Chairman, and members of the committee, is not a petroleum-producing State. Such a sweeping approval of leases throughout the forest and all at once has stunned and alarmed both residents and visitors to our State.

The U.S. Forest Service has cleared this land for leasing but has yet to specify lease stipulations or to conduct on-site studies of different regions in the Federal domain. The Forest Service has not approved leasing in our two designated wilderness areas, Bristol Cliffs and Lye Brook in Manchester, Vt., but I fear the officials are only awaiting further instructions from the administration and/or Congress before doing so.

Leasing has been approved for all six roadless areas in the Green Mountain National Forest, including the two allocated to further planning and RARE II—Breadloaf in Ripton and Devil's Den in Wallingford.

Mr. Chairman, our congressional delegation has met to consider a wilderness package for Vermont. As you know, specific wilderness proposals and boundaries can become hotly contested, emotional issues. We are trying to work on this problem in an acceptable way to the majority of the people of our State. I firmly believe we will be successful unless we are torpedoed by this leasing operation.

The areas under consideration for wilderness designations by the delegation are among the most environmentally sensitive in the State. It is my belief that even the opponents of statutory wilderness protection do not wish to see them developed.

However, the burden of our negotiations is only increased when we see the Forest Service processing leases to grant new development rights to companies, perhaps to speculators, in these sensitive lands before we have made our decisions.

Issuance of these leases has been appealed to the administration by a number of local conservation groups—Sierra Club, Vermont Wilderness Association, Vermont Audubon Society, Vermont Natural Resources Council, Wilderness Society and Conservation Law Foundation. This intervention has provided a little breathing room for Congress to act.

The Jackson bill, S. 2801, takes a giant step toward solving our problem I believe by prohibiting outright any leases in wilderness

areas and by delaying any leasing in further planning areas during this critical time of wilderness consideration by the administration and the Congress.

I believe it is imperative that the Senate act quickly on this bill in the short time remaining of this session so that the Secretary of the Interior, who has asked us for guidance, and the Forest Service, will have the benefit of solid congressional direction before proceeding further.

Mr. Chairman, members of the committee, I thank you again for your courtesy in allowing me to proceed at this time.

Senator WALLOP. Senator Hart has expressed the same time constraint.

STATEMENT OF HON. GARY HART, A U.S. SENATOR FROM THE STATE OF COLORADO

Senator HART. Mr. Chairman, thank you very much. I appreciate the opportunity to appear before you on this legislation, the Wilderness Protection Act, and I want particularly to cite Senator Jackson's leadership in bringing this bill before us.

I would like also to ask the committee's indulgence in introducing into the record in conjunction with my own statement a statement forwarded by our Governor, Gov. Richard Lamm of the State of Colorado, that generally endorses the points that I wish to briefly outline here this morning.

My own interest and that of our Governor is twofold, both as westerners and particularly as Coloradans. Although the bill applies, of course, to all States, as Senator Stafford has said, except Alaska, it is especially important as those of us who are westerners know, in our region. That is where most of our timber is and where there are the greatest number of potential conflicts between wilderness protection and oil and gas development.

This is even more true for those of us in Colorado than it is for most of the West. We have the second highest percentage of our land set aside as wilderness. Between 150 and 200 applications have been filed for leases in Colorado's wilderness areas. This total is matched I think in only one other State, that of Montana, as Senator Melcher has indicated, so Mr. Chairman, my interest in this bill is not just theoretical nor is the interest of the people that I represent. This legislation is of great practical significance to my region and my State.

I urge, Mr. Chairman, that the committee rapidly report S. 2801 to the full Senate, and I further urge the committee to avoid attaching any collateral amendments such as the so-called release language which would I think we all agree complicate final congressional action on this bill this year.

I make this recommendation for a few very simple reasons which I will outline. First, the moratorium that Secretary Watt has proclaimed on wilderness leasing will expire somewhere near the end of this year. I guess there is some clarification needed on when that will occur. In other words, the administration has given Congress only until the end of 1982 to resolve this issue legislatively if we elect to.

Second, unless this legislation is passed, it is clear the administration will lease vast tracts of the most magnificent, unspoiled wild lands left in this country. This leasing would be on a scale far exceeding anything previously anticipated I think by any Members of Congress. For example, officials in Colorado's San Juan National Forest are planning to make available for leasing all parts of the three wilderness areas in that forest except where slopes are steeper than 40 percent, high erosion or geologic hazard exists, endangered or threatened species are present, or the impact would be highly visible.

Using these very selective criteria, the Forest Service is planning to make available for leasing an average of one-third of the wilderness acreage in Colorado. This degree of leasing under these lax criteria I think may be legally possible under the original Wilderness Act, but I don't think anyone when that act was passed anticipated any administration would go to this extreme.

Third, Mr. Chairman, developing our wilderness areas is not necessary to meet this country's national energy needs. Barely 1 percent of the contiguous United States, that is to say, the part of the country affected by this bill, is wilderness. In setting aside wilderness areas, Congress I think in almost every case has always paid particular attention to oil and gas potential. For example, Senator Armstrong and others who drafted the 1980 Colorado Wilderness bill asked the Rocky Mountain Oil and Gas Association and other industry groups to tell us every instance in which a company had plans to explore for oil and gas in an area being considered for wilderness designation, then left out those areas of the wilderness boundaries.

Although their scrutiny has not been as rigorous, the executive agencies have also paid particular attention to the oil and gas potential of lands when designating them for wilderness study.

Mr. Chairman, I think enough other Federal lands are available for leasing to satisfy this country's energy needs. In fact, more than 80 percent of all Federal oil and gas leases expire without any drilling ever being undertaken. I think it would be preposterous to begin drilling in wilderness areas when so much of the nonwilderness land is not being developed.

In addition, the protection of the wilderness areas I think is too important to leave purely to administrative discretion. Unless prohibited by Congress, leases in wilderness areas would be valid even if they are issued by mistake of the agencies. We have seen examples of this happening. Leases have been issued by agency oversight in wilderness areas in my State, in New Mexico, in California—

Senator WALLOP. One more minute.

Senator HART. When official agency policy has been to deny leases in wilderness areas.

The decisions on leasing in wilderness areas involve both the Bureau of Land Management and the Forest Service, and we all know that often the right hand doesn't know what the left hand is doing. In my State, for example, there have been instances in which the Forest Service has not even been informed of applications for leases in national forest wilderness areas.

Finally, Mr. Chairman, the will of Congress on this issue I think is clear. The House passed the bill by a vote of 340 to 56. Over half the Members of the Senate have cosponsored Senator Jackson's bill. I think this congressional conscience should not be frustrated.

Mr. Chairman, I urge the committee to facilitate a Senate vote on this bill so that we can resolve this issue once and for all.

I thank the committee for its indulgence, and I ask consent that the statement of our Governor be included.

Senator WALLOP. By all means.

[The prepared statements of Senator Hart and Governor Lamm follow:]

U.S. Senator

GARY HART

Colorado

FOR IMMEDIATE RELEASE
September 23, 1982CONTACT: Paul Wattles
(202) 224-5852TESTIMONY BY SENATOR GARY HART
before
THE COMMITTEE ON ENERGY AND NATURAL RESOURCES

I appreciate the opportunity to appear before you today in support of S. 2801, the Wilderness Protection Act of 1982.

Senator Jackson, I commend you for your leadership in bringing this bill before the Senate.

I'm especially interested in this bill both as a Westerner and a Coloradan.

Although the bill applies to all states except Alaska, it is especially important in the West. That's where most of our wilderness is, and where there are the greatest number of potential conflicts between wilderness protection and oil and gas development.

This is even more true for Colorado than it is for most of the West.

- Colorado has the second highest percent of its land set aside as wilderness. (Over half of this amount was designated by the 1980 Colorado Wilderness Act, which I helped write and which this Committee helped enact.)
- Between 150 and 200 applications have been filed for leases in Colorado's wilderness areas. This total is matched in only one other state -- Montana.

So, my interest in this bill is not just theoretical. This legislation is of great practical significance to my region and my state.

I urge the Committee to rapidly report S. 2801 to the full Senate. I further urge the Committee to avoid attaching any extraneous amendments -- such as so-called "release" language -- which would complicate final Congressional action on this bill this year.

I make these recommendations for five reasons.

First, the moratorium Secretary Watt has proclaimed on wilderness leasing will expire at the end of this year. In other words, the Administration has given Congress only until the end of 1982 to resolve this issue legislatively.

Second, unless the legislation is passed, it is clear the Administration will lease vast tracts of the most magnificent unspoiled wild lands left in our country. This leasing would be on a scale far exceeding anything previously anticipated.

- For example, officials in Colorado's San Juan National Forest are planning to make available for leasing all parts of the three wilderness areas in that forest except where --
 - slopes are steeper than 40 percent;
 - high erosion or geologic hazards exist;
 - endangered or threatened species are present; or
 - the impacts would be highly visible.

MORE

- 2 -

- Using these criteria, the Forest Service is planning to make available for leasing an average of one-third of the wilderness acreage in Colorado.

This degree of leasing, under such lax criteria, may be legally possible under the original Wilderness Act. But nobody anticipated any Administration would go to this extreme.

Third, developing our wilderness areas is not necessary to meet our national energy needs.

- Barely one-percent of the contiguous United States (the part of the country affected by this bill) is wilderness.
- In setting aside wilderness areas Congress has always paid particular attention to the oil and gas potential of the lands. For example, I and the others who wrote the 1980 Colorado Wilderness bill asked the Rocky Mountain Oil and Gas Association and other industry groups to tell us of every instance in which a company had plans to explore for oil and gas in an area being considered for wilderness designation -- and we then left all those areas out of the wilderness boundaries.
- Although their scrutiny has not been as rigorous, the executive agencies have also paid particular attention to the oil and gas potential of lands when designating them for wilderness study.

Enough other Federal lands therefore are available for leasing to satisfy our energy needs. In fact, more than 80 percent of all Federal oil and gas leases expire without any drilling ever being undertaken. It would be preposterous to begin drilling in wilderness areas when so much of the non-wilderness land is not being developed.

Fourth, the protection of the wilderness areas is too important to leave to administrative discretion. Unless prohibited by Congress, leases in wilderness areas would be valid even if they are issued by mistake of the agencies. And we have seen examples of this happening.

- Leases have been issued by agency oversight in wilderness areas in Colorado, New Mexico, and South Carolina, when official agency policy has been to deny leases in wilderness areas.
- Decisions on leasing wilderness areas involve both the Bureau of Land Management (in the Department of the Interior) and the Forest Service (in the Department of Agriculture) -- and often the right hand does not know what the left hand is doing. In Colorado, for example, there have been instances in which the Forest Service has not even been informed of applications for leases in national forest wilderness areas.

Fifth, the will of Congress on this issue is clear. The House passed the bill by a vote of 340 to 56. Over half the members of the Senate have cosponsored Senator Jackson's bill. This Congressional consensus should not be frustrated.

I urge the Committee to facilitate a Senate vote on this bill, so we can resolve this issue once and for all.

STATE OF COLORADO

EXECUTIVE CHAMBERS

136 State Capitol
Denver, Colorado 80203
Phone (303) 866-2471



Richard D. Lamm
Governor

STATEMENT OF RICHARD D. LAMM
GOVERNOR
STATE OF COLORADO
September 23, 1982

Chairman McClure and Members of the Senate Energy & Natural Resources Committee. As Governor of the State of Colorado, I offer this statement in support of S. 2801, a bill to protect this nation's wilderness areas from oil and gas leasing and development.

We in Colorado are blessed with many wild areas which have been set aside as designated wilderness. These areas offer recreation, watershed and air protection, and wildlife habitat as well as jobs for many Coloradans.

Today, they face the immediate threat of oil and gas leasing. Nine of our Colorado wilderness areas have pending lease applications -- and every wilderness area in our state that has been reviewed by the Forest Service is recommended for varying degrees of leasing. The Weminuche wilderness, our largest and one of the most spectacular of wilderness is recommended.

Even the Mt. Evans Wilderness, the closest wilderness area to Denver whose peak is most prominent on our city's skyline and a frequent destination of Denverites and visitors alike, is not spared. Two weeks ago, the Forest Service recommended more than 75 percent of this area for leasing.

In 1964, when I testified on the original wilderness bill, I stated, "It would be a Pyrrhic victory to pass legislation without an immediate cutoff of activities in these areas which are inconsistent with wilderness designation." S. 2801 provides Congress with the opportunity to protect these areas from the imminent threat of which I spoke 18 years ago. S. 2801 is a reasonable bill. While it withdraws wilderness areas from the leasing program, it also instructs the Secretaries of the Interior and Agriculture to continue with exploration and inventory efforts. This will insure that, in a time of national crisis, we know that minerals lie in wilderness areas and, if need be, Congress can open an area to development.

I have heard discussions of adding a so-called "national release provision" to S. 2801. During the 1980 Colorado Wilderness bill hearings, we had the opportunity to debate this issue. We settled on a form of release most compatible to the needs of Colorado. I would urge you not to add a national release provision. It removes from each state the ability to do what it thinks best for its wilderness lands.

I would like to close the appeal for speedy passage of S. 2801 with a quote from a recent letter that Senator Bill Armstrong sent to a constituent. He said, "... to open wilderness areas now for exploration would be a breach of faith with the future." I, as Senator Armstrong does, want future Coloradans and all Americans to find these areas in the same undisturbed and wild state as they now exist.

America developed the idea of a wilderness heritage for the world. Let us show the world we know how to protect it.

Thank you.

Senator WALLOP. Senator Warner?

Senator WARNER. Mr. Chairman, I am a cosponsor of this bill, and I believe firmly in the basic goals. However, I will keep an open mind. If there is a means to strengthen this legislation, I would be happy to consider it.

I will forgo any comments in the hopes we can get on with the hearing.

Senator WALLOP. Senator Murkowski?

**STATEMENT OF HON. FRANK H. MURKOWSKI, A U.S. SENATOR
FROM THE STATE OF ALASKA**

Senator MURKOWSKI. Thank you, Mr. Chairman. I, too, am looking forward to hearing the witnesses. I think that we have had some experience in Alaska with wilderness since a lot of it has been created up there.

However, my concern, and I will be looking forward to the testimony of the witnesses, is the realities that we want to achieve in this country—higher degree of energy independence; we want to protect our wilderness. It is indeed too bad that we could not have done a resource inventory a generation ago and established those areas that have the prospect for development and set aside those others that can better be assets in a wilderness area, but we haven't been able to do that.

The question is, How can we best create that now? And perhaps the testimony that is going to come before your committee on this particular bill will indicate that this is the best bill, and perhaps it will indicate that changes should be made to better relate to the reality of the strategic mineral concerns, energy independence achievement, and I guess that is what this is all about, Mr. Chairman, and I would look forward to the witnesses making their presentations.

Senator WALLOP. Thank you very much, Senator, and we appreciate the attention and indulgence of the Senators in keeping within the time.

We have a substantial witness list, and I will hold them to the 5 minutes so that questions can be asked.

First is the Honorable John Crowell, Jr., Assistant Secretary for Natural Resources and Environment, Department of Agriculture, accompanied by Mr. Ray Housley, Deputy Chief of the national forest system, and perhaps the Secretary may want to introduce your technical witnesses if they will be needed so the committee is aware of who you have with you.

Mr. CROWELL. Thank you, Mr. Chairman. I am accompanied by a number of gentlemen from the Department of the Interior, from the Geological Survey, and from the Minerals Management Service who could respond to technical questions if the committee feels that they have any of that nature to address to the administration at this hearing.

**STATEMENT OF JOHN B. CROWELL, JR., ASSISTANT SECRETARY
FOR NATURAL RESOURCES AND ENVIRONMENT, DEPARTMENT
OF AGRICULTURE, ACCOMPANIED BY RAYMOND M. HOUSLEY,
DEPUTY CHIEF, NATIONAL FOREST SYSTEM**

Mr. CROWELL. We do appreciate the opportunity to be here today to discuss the issue of mineral leasing in wilderness, and in areas being considered for wilderness, and to present our views about S. 2801, the Wilderness Protection Act of 1982, and related matters.

The Wilderness Act of 1964 provides for mineral leasing in wilderness areas through December 31, 1983, subject to reasonable regulations. The act also provides that leases issued shall contain stipulations to protect the wilderness character of the land consistent with the purpose for which the lease is issued.

As it stands now, there is no legal basis for refusing to consider issuing a lease if reasonable stipulations to safeguard the wilderness character of the land are part of the lease. Reasonable stipulations are those which permit development for the lease purpose to proceed on the area leased without imposing prohibitive physical or economic constraints.

Although leasing is a discretionary act, the Wilderness Act clearly contemplated that leases would be issued and that the areas subject to lease would be explored, and if a discovery occurred, would be developed.

The Forest Service currently has more than 1,100 lease applications pending for portions of wilderness areas. A target for processing all lease applications in wilderness by October 1, 1983, has been set in order to provide the Bureau of Land Management at least 3 months' leadtime to act on Forest Service recommendations prior to the January 1, 1984, withdrawal from leasing as stipulated in the Wilderness Act. There is an obligation to consider and process applications in accordance with the law as it exists today.

The administration, of course, is aware of the public concern and controversy related to the potential issuance of oil, gas, mineral, and geothermal leases in wilderness. The possible impacts that exploration and development may have on the physical characteristics and esthetic attributes of designated and proposed wildernesses are recognized. The administration is willing to accept legislation closing mineral leasing prior to the January 1, 1984, date prescribed by the Wilderness Act of 1964. However, the administration believes the legislation should also attempt to resolve some other pending policy matters relating to wilderness designations, wilderness area recommendations, and studies of roadless areas.

A substantial area of Federal land would be affected by this legislation and is involved in these pending policy matters.

The first such policy matter is the future of those unroaded lands that were considered in the Forest Service's roadless areas review and evaluation processes, RARE I and RARE II, and which were not recommended for wilderness designation. For more than 10 years, most of the 62 million acres considered in the RARE process, almost one-third of the National Forest System, have remained in more or less uncertain status. A few months after the RARE II recommendations were announced, the State of California brought suit alleging the inadequacy of the RARE II Environmental Impact

Statement with respect to some but not all of the California National Forest roadless areas which had not been recommended for wilderness designations.

The U.S. District Court decided that the Environmental Impact Statement was indeed insufficient. The decision was subsequently appealed and argued to the ninth Circuit Court of Appeals which has had the case under advisement since last September. If the lower court's decision is affirmed, it will mean that the 36 million acres of roadless areas which were not recommended for wilderness designation by RARE II may be subject to a similar lawsuit or lawsuits. The consequences would be that none of the lands made subject to such litigation could be managed for any purpose without a new or supplemental Environmental Impact Statement being prepared. This would take considerable time, would require the efforts of a good many Forest Service people who would be diverted from performing more productive work, would be expensive, and in all likelihood would result in the very same recommendations for non-wilderness designation.

In the meantime, on some national forests, the timber sale program would be substantially reduced. Much oil and gas and mineral exploration would be at a standstill. The Treasury would lose receipts, and the economy would be without needed raw materials. All of these possibly disruptive consequences could be avoided by the simple expedient of a statutory enactment which would declare the RARE II Environmental Impact Statement to be legally sufficient and which would prohibit court review of that issue. The administration recommends that such a provision be made a part of S. 2801.

Similarly, it would be appropriate to use this bill as a vehicle for providing that 36 million roadless acres which were not recommended for wilderness by RARE II not be subject to being studied again by the Forest Service at some future time for possible inclusion in the wilderness system.

The Congress at some time must decide on how large the wilderness portion of the National Forest System is to be. Already 25 million acres of the 191 million acre system are formally designated as wilderness. Additionally, 6.9 million acres recommended for wilderness by RARE II have not been acted upon by Congress. Still further, there are 4.2 million acres in RARE II further planning status—excuse me. There are 4.2 million acres in congressionally mandated study status, and another 8.1 million acres in RARE II further planning status.

If wilderness areas are to be permanently foreclosed from oil, gas, and mineral exploration and development, and from other forms of multiple use, including timber harvesting, by this bill, it is not reasonable to assume that wilderness designations from the national forest system, with all of the publicly owned wealth it represents, should be without ultimate limits.

It is, therefore, the administration's recommendation that S. 2801 be amended to provide for release from having to be studied again, either permanently or at least until the year 2000, of the lands not recommended for wilderness by RARE II or by further planning. Congress, of course, would always be able in the future to

direct study of a specially identified area which might be regarded as a candidate for wilderness designation.

Still another policy matter left over from RARE II is the question of how long lands recommended for wilderness designation by RARE II but not acted upon by Congress should remain in indeterminate status. If Congress does not act on the recommendations, the lands will remain unavailable for multiple use until they are subject to the periodic planning process mandated by the National Forest Management Act of 1976. Multiple use management for these lands would occur sooner if Congress were statutorily so to provide in the event it did not act specifically to designate the lands as wilderness within a specified time period.

Subsection 2(d) of S. 2801 withdraws the RARE II further planning lands, with the exception of Alaska, from leasing. This withdrawal involves 5.8 million acres of national forest lands. Many of these lands were placed in this category by RARE II because the Forest Service did not have enough minerals information, especially oil and gas data, to make a decision whether or not to recommend for wilderness. Through leasing, exploration, and survey information could be developed that will significantly aid the determination of whether these areas should be recommended for wilderness.

We must continue to increase our knowledge of the mineral resources of federally owned lands. Thus it is in the public interest that the bill permits prospecting, seismic surveys, and core sampling in the areas otherwise withdrawn by the bill. The prohibition of the use of explosives for seismic surveys in designated wildernesses, however, seriously limits the use of seismic exploration. The proper use of explosives in conducting seismic surveys greatly enhances the information obtained and is minimally disturbing to the wilderness environment. If this legislation is to provide an effective means of inventorying mineral and energy resources in wilderness areas, the use of explosives should be available.

The points I have just raised all relate to National Forest System lands and the RARE II process. Under the provisions of the Federal Land Policy and Management Act, the Bureau of Land Management is conducting a similar study on the public lands. You may want to consider extending some of the provisions I have just mentioned to those lands.

We will be happy to work with the subcommittee staff to develop legislative language for implementing these proposals. Mr. Chairman, that concludes my testimony. I will be happy to respond to questions.

[The prepared statement of Mr. Crowell follows:]

STATEMENT OF
JOHN B. CROWELL, JR.
ASSISTANT SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT
UNITED STATES DEPARTMENT OF AGRICULTURE

Before the
Subcommittee on Public Lands and Reserved Water
Committee on Energy and Natural Resources

Concerning S. 2801

A Bill to Withdraw Certain Lands from Mineral Leasing

September 23, 1982

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

We appreciate the opportunity to be here today to discuss the issue of mineral leasing in wildernesses and areas being considered for wilderness and to present our views about S. 2801, the Wilderness Protection Act of 1982, and related matters. I will begin by briefly reviewing the overall policies regarding mineral leasing applicable to National Forest System lands.

The Wilderness Act of 1964 provides for mineral leasing in wilderness areas through December 31, 1983, subject to reasonable regulations. The Act also provides that leases issued shall contain stipulations to protect the wilderness character of the land consistent with the purpose for which the lease is issued. Therefore, when a lease application is received, the Forest Service is obligated to determine reasonable requirements for exploration, drilling, development, and restoration considering the surface values. In the case of National Forest System lands reserved from the public domain--which includes approximately 162 million acres of the 191 million acre National Forest System--the Forest Service generally has responsibility to recommend to the Bureau of Land Management whether the lease should be issued and what stipulations should be included. Forest Service's responsibility for acquired land is the

same, except that for acquired lands and for coal and geothermal resources on all lands, lease issuance is contingent on the Secretary of Agriculture's consent. In all cases, final decisions on mineral leasing rest with the Secretary of the Interior.

As it stands now, there is no legal basis for refusing to consider issuing a lease if reasonable stipulations to safeguard the wilderness character of the land are part of the lease. Reasonable stipulations are those which permit development for the leased purposes to proceed on the area leased without imposing prohibitive physical or economic constraints. Although leasing is a discretionary act, the Wilderness Act clearly contemplated that leases would be issued and that the areas subject to lease would be explored and, if a discovery occurred, would be developed.

When a lease application is received on National Forest System lands, the Forest Service conducts an environmental analysis to determine, among other things, if the contemplated activity resulting from lease activity could be concluded to be a major Federal action significantly affecting the quality of the human environment. If the conclusion is affirmative, an environmental impact statement is prepared; otherwise, the results of the analysis are documented in an environmental assessment and a finding of no significant impact is prepared. The Chief of the Forest Service has delegated the authority to make the recommendations and consent decisions on leasing to Regional Foresters.

The Forest Service currently has more than 1,100 lease applications pending for portions of wilderness areas. A target for processing all lease applications

in wilderness by October 1, 1983, has been set in order to provide the Bureau of Land Management 3 months lead time to act on Forest Service recommendations prior to the January 1, 1984, withdrawal from leasing as stipulated in the Wilderness Act. There is an obligation to consider and process applications in accordance with the law as it exists today.

The Administration, of course, is aware of the public concern and controversy related to the potential issuance of oil, gas, mineral and geothermal leases in wilderness. The possible impacts that exploration and development may have on the physical characteristics and esthetic attributes of designated and proposed wildernesses are recognized.

In many respects, S. 2801 is similar to the Administration's bill that was submitted to Congress earlier this year as H.R. 5603. The Administration's bill, S. 2801, and several other bills now pending before Congress all share a common goal--the preservation of our wilderness lands. These lands are a National treasure much like our parks which must be protected from any kind of permanent impairment. This Administration is committed to protecting our wilderness lands and does not intend to allow their values to be impaired. We firmly believe these lands should be the last opened to exploration and development--and then only if such activities should become necessary due to an urgent National need as determined by the President.

The Administration is willing to accept legislation closing mineral leasing prior to the January 1, 1984, date prescribed by the Wilderness Act of 1964. However the Administration believes the legislation should also attempt to resolve some other pending policy matters relating to wilderness designations, roadless area recommendations, and studies of roadless areas. A substantial area of Federal land would be affected by this legislation and is involved in these pending policy matters.

The first such matter is the future of those unroaded lands that were considered in the Forest Service's Roadless Area Review and Evaluation (RARE I and II) processes and which were not recommended for wilderness designation. For more than 10 years, most of the 62 million acres considered in the RARE process--almost one third of the National Forest System--have remained in more or less uncertain status. A few months after the RARE II recommendations were announced, the State of California brought suit alleging the inadequacy of the RARE II environmental impact statement with respect to some, but not all, of the California National Forest roadless areas which had not been recommended for wilderness designation. The United States District Court decided that the environmental impact statement was indeed insufficient; the decision was subsequently appealed and argued to the Ninth Circuit Court of Appeals, which has had the case under advisement pending decision since September 1981. If the lower court's decision is affirmed, it will mean that the 36 million acres of roadless areas which were not recommended for wilderness designation by RARE II may be subject to a similar lawsuit or lawsuits. The consequence would be that none of the lands made subject to such litigation could be managed for any purpose without a new or supplemental environmental impact statement being prepared. This would take considerable time, would require the efforts of a good many Forest Service people who would be diverted from performing more productive work, would be expensive, and in all likelihood would result in the very same recommendations for nonwilderness designation. In the meantime on some National Forests, the timber sale program would be substantially reduced, much oil and gas and mineral exploration would be at a standstill, the Treasury would lose receipts, and the economy would be without needed raw materials.

All of these possibly disruptive consequences could be avoided by the simple expedient of a statutory enactment which would declare the RARE II environmental impact statement to be legally sufficient and would prohibit court review of that issue. The Administration recommends that such a provision be made a part of S. 2801.

Similarly, it would be appropriate to use this bill as the vehicle for providing that the 36 million roadless acres which were not recommended for wilderness by RARE II not be subject to being studied again by the Forest Service at some future time for possible inclusion in the Wilderness System.

The Congress at some time must decide on how large the wilderness portion of the National Forest System is to be. Already 25 million acres of the 191 million acre system are formally designated as wilderness; additionally 6.9 million acres recommended for wilderness by RARE II have not been acted upon by Congress. Still further, there are 4.2 million acres in congressionally mandated study status and another 8.1 million acres in RARE II further planning status. If wilderness areas are to be permanently foreclosed from oil, gas, and mineral exploration and development by this bill, and from other forms of multiple-use, including timber harvesting, it is not reasonable to assume that wilderness designations from the National Forest System, with all of the publicly owned wealth it represents, should be without ultimate limits. It is therefore, the Administration's recommendation that S. 2801 be amended to provide for release--either permanently or at least until the year 2000--of the lands not recommended for wilderness by RARE II or by further planning from having to be studied again. Congress, of course, would always be able in the future to direct study of a specially identified area which might be regarded as a candidate for wilderness designation.

Still another policy matter left over from RARE II is the question of how long lands recommended for wilderness designation by RARE II but not acted upon by Congress should remain in indeterminate status. If Congress does not act on the recommendations, the lands will remain unavailable for multiple use until they are subject to the periodic planning process mandated by the National Forest Management Act of 1976. Multiple use management for these lands would occur sooner if Congress were statutorily so to provide in the event it did not act specifically to designate the lands as wilderness within a specified time period.

Subsection 2(d) of S. 2801 withdraws the RARE II further planning lands (with the exception of Alaska) from leasing. This withdrawal involves 5.8 million acres of National Forest land. Many of these lands were placed in this category by RARE II because the Forest Service did not have enough minerals information, especially oil and gas data, to make a decision whether or not to recommend for wilderness. Through leasing, exploration and survey information could be developed that will significantly aid the determination of whether these areas should be recommended for wilderness.

We must continue to increase our knowledge of the mineral resources of Federally owned lands. Thus, it is in the public interest that the bill permit prospecting, seismic surveys, and core sampling in the areas otherwise withdrawn by the bill. The prohibition of the use of explosives for seismic surveys in designated wildernesses, however, seriously limits the use of seismic exploration. The proper use of explosives in conducting seismic surveys greatly enhances the information obtained and is minimally disturbing to the wilderness environment. If this legislation is to provide an effective means of inventorying mineral and energy resources in wilderness areas, the use of explosives should be available.

The points I have just raised all relate to National Forest System lands and the RARE II process. Under the provisions of the Federal Land Policy and Management Act, the Bureau of Land Management is conducting a similar study on the Public Lands. You may want to consider extending some of the provisions I have just mentioned to those lands.

We will be happy to work with Subcommittee staff to develop legislative language for implementing these proposals. Mr. Chairman, that concludes my prepared testimony. I will be happy to respond to questions.

Senator WALLOP. Thank you, sir, Senator Warner?

Senator WARNER. Pass.

Senator WALLOP. Senator Melcher? Before you go on, let me just say again we are seeking permission to sit beyond noon. We have a witness list after the Secretary of 29 people, and I am just trying to collapse it to the extent that we can until we can get permission.

Thank you.

Senator MELCHER. Mr. Secretary, when there is a lease application, your testimony says that first of all, having an environmental assessment, however, for all practical purposes, an environmental impact statement is required, and prior to completion of an environmental impact statement is it not true that there are no applications for leases?

Mr. CROWELL. Mr. Chairman, an environmental impact statement is not done in the case of every application for lease. The preliminary decision is whether or not there should be such a statement prepared, and very often the conclusion is that the environmental impact statement need not be prepared. The process that makes that conclusion is an environmental assessment.

Senator MELCHER. Well, from a practical standpoint, since the environmental assessment was made in one of the areas in Montana, the Deep Creek area where some leases were recommended by the regional forester, it is now under litigation on whether or not the environmental assessment was adequate.

Has it not been the practice since then for the regional forester to require an environmental impact statement before making any recommendations one way or the other?

Mr. CROWELL. The Forest Service's present procedure in Montana is to prepare a number of different environmental impact statements covering different areas of the national forest system in the State and in region 1 which is largely Montana.

Following the completion of those environmental impact statements, none of which have been finished yet, individual lease applications would be judged first by the conclusions reached by the EIS, and then secondly if the leases were being applied for in areas that the EIS had agreed or concluded could be subject to leasing, a further environmental assessment would be made as to the impacts

on the environment of the proposed lease application in its particular location.

Senator MELCHER. We are told by region 1 that there are some 800 applications, lease applications, pending in the Bob Marshall Wilderness alone. Whether or not that is correct I am not sure because your testimony this morning indicates a lesser number in region 1, or lesser number total in all the national forest lands, and you have told us that only half of those are in region 1 of the 1,100, but nevertheless, with the process the law requires the completion of this ongoing environmental impact statement on the national forests that are covered in region 1, does it not?

Mr. CROWELL. We have construed the National Environmental Policy Act to make it desirable to prepare the environmental impact statements which I have referred to with respect to the overall question of lease applications in Montana or region 1 wilderness areas, so the answer to your question is, yes.

Senator MELCHER. Yes; now until that is complete and the regional forester has made that recommendation, is it not true that Secretary Watt or any other Secretary of the Interior is not in a position to do one thing on leasing in that particular area?

Mr. CROWELL. Well, I am not sure that he couldn't if he wanted to, but, of course, it would be subject to legal review, but as a practical matter, Senator, you are correct. The Secretary of the Interior would not take any action on lease applications until the Forest Service had completed the environmental impact statements and then later the environmental assessments with respect to each individual lease. It would then make recommendations to the Secretary and it would not be until after such recommendations were received that the Secretary would undertake to act.

Senator MELCHER. All right; now is it not also true that on a memorandum of agreement based on the law, that until these actions, these memoranda between the Secretary of Agriculture and the Secretary of the Interior that predates this administration, until these actions are completed, there is no authority if they follow that procedure in the Secretary of the Interior's hands to make a lease?

Mr. CROWELL. I can't say from personal knowledge that the memorandum of understanding governed this, but I can confirm, as I had in response to your last question, that the actual practice being followed by this administration is that the Secretary of the Interior would take no action until the recommendations from the Secretary of Agriculture, the Forest Service, are received by him.

Senator MELCHER. Is it not also true that the Forest Service, since this bill just involves Forest Service lands, is it not true that the Forest Service firmly intends to retain its first stewardship of the lands in case of all stipulations if there is going to be a lease or if there is going to be a consideration on any national forestland, whether it is wilderness or not?

Mr. CROWELL. That is true.

Senator MELCHER. And you are not about to relinquish that authority, are you?

Mr. CROWELL. No, sir.

Senator MELCHER. Because you are the steward of National Forest Service lands and what happens on there is first of all the

responsibility of the Forest Service and not the responsibility of the Secretary of the Interior, regardless of who he is.

Mr. CROWELL. Well the Forest Service does have responsibility for the surface of national forest lands and as a practical matter, the Secretary of the Interior is making no moves to intrude upon the jurisdiction of the Secretary of Agriculture over the national forest lands.

Senator MELCHER. Whether wilderness or not?

Mr. CROWELL. Right.

Senator MELCHER. Thank you, Mr. Secretary. Thank you, Mr. Chairman.

Senator WALLOP. Senator Warner?

Senator WARNER. I'll pass.

Senator NICKLES. A couple of questions—looking at page 5 of your statement, Mr. Crowell, trying to get at some discrepancies, or perceived discrepancies, I see between the figures that you say as far as the number of acres that would be affected and what I think we have been able to pull out from the House committee's report, you mentioned 4.2 million acres in congressionally mandated study status. Of the figures that I have seen before, it was that 1.8 million acres were congressionally designated wilderness areas.

Do you know what the discrepancy is there?

Mr. CROWELL. Senator Nickles, I don't. I'm sorry. I can't respond to that question, but we will check the figures.

Senator NICKLES. If you would.

Mr. CROWELL. We will supply a response to that question for the record and for you.

Senator NICKLES. OK. I would appreciate that, and there are a couple of other discrepancies. You say 8.1 million acres in RARE II further planning. The note I have says 5.9 in RARE II further planning, so I would add that to the request.

Mr. CROWELL. We will respond similarly.

Senator WALLOP. Apparently, Senator, the discrepancy is in the primitive areas which would add the additional acres I think over what the House is referring to.

Senator NICKLES. Which would be taken out?

Senator WALLOP. Well, there is an interesting thing here because this is the first hearing that has been held on this bill. The House passed it without a hearing. They have held hearings on the issue but not on the bill, and that is one of the things that we are here to try to designate or try to determine—excuse me.

Mr. CROWELL. Senator, I am advised that the 8.1 figure includes Alaska. The 5.9 figure includes the lower 48 States.

Senator NICKLES. This bill only touches the lower 48?

Mr. CROWELL. Yes.

Senator NICKLES. That is correct?

Senator WALLOP. It does.

Senator NICKLES. One other question, and I am addressing the bill as is, does it affect only oil and gas or does it affect also phosphate and other, coal, oil shale and sulfur and other minerals?

Senator WALLOP. It affects oil and gas, oil shale, coal, sulfur, potassium, gilsonite, and geothermal, phosphate.

Senator NICKLES. That's the way I read the bill, but I thought I heard earlier, and I wanted to just see if I understood that—

Mr. CROWELL. Senator, I might interject here that the context in which the figures were given, the 8.1 figure that we have just referred to, is correct in the statement, but in the context that you are asking the question was its applicability just to this bill, and the figure would not be 8.1. It would be 5.9.

Senator NICKLES. The congressionally mandated study is the difference between the 4.2 and the 1.8?

Mr. CROWELL. I am advised that that's the explanation.

Senator NICKLES. 1.8 for the lower 48?

Mr. CROWELL. Yes.

Senator NICKLES. I have no further questions.

Senator WARNER. Mr. Chairman, if I might I would like to reserve the right for questions for the record, but I am trying to assist the Chair in expediting the hearing.

Senator WALLOP. I appreciate that, and the Chair will have questions for the record.

Mr. CROWELL. We will be happy to respond to those questions, Mr. Chairman.

Senator WALLOP. Thank you very much, Mr. Secretary. The next panel is Mr. George Dibble representing Rocky Mountain Oil & Gas Association and the Western Regional Council and Western Oil & Gas Association of Denver, Colo.; Mr. Richard Hughes, legislative and regulatory analyst, central region, Chevron, U.S.A., in Denver; Vincent Matthews III, division manager, Rocky Mountain Division, Lear Petroleum, Inc., Denver; and David Work, manager of exploration, western region, Amoco Production Co., Denver, Colo.

Gentlemen, what I will do is as the minutes roll around I will give one tap on the gavel so as not to interrupt your statement but you will know that you have 1 minute to go.

Mr. Dibble?

**STATEMENT OF GEORGE S. DIBBLE, JR., ON BEHALF OF THE
ROCKY MOUNTAIN OIL & GAS ASSOCIATION, THE WESTERN RE-
GIONAL COUNCIL, AND THE WESTERN OIL & GAS ASSOCIATION**

Mr. DIBBLE. Thank you very much, Mr. Chairman, members of the committee. My name is George Dibble. It is my pleasure to be able to participate in these hearings, and as you mentioned, this is the first hearing—

Senator WALLOP. May we have order in the room, please?

Mr. DIBBLE. This is the first hearing on this issue. I am here today representing three groups—Rocky Mountain Oil & Gas Association, which is a group of 800 companies operating in the oil and gas business in the Rocky Mountain areas which is the heartland of public lands and lands that would be affected by this bill; the Western Regional Council which is an organization of businesses representing all industries throughout the nine State areas, not only oil and gas, but minerals and banking and utilities and a number of others; as well as the Western Oil & Gas Association, which is RMOGA's sister organization on the west coast and Alaska.

As you can tell by the composure of this group, they do operate in the area of heavy public land concentration and an area that

would be severely impacted by S. 2801. I think it would be safe to say that in just trying to summarize my remarks for the committee, that we feel that S. 2801 is riding a wave of overreaction and emotion. It is not a balanced approach in looking at the disposition of public lands.

Our groups are in favor of wilderness areas. We think there is a need for them. We are also in favor of multiple use areas, but wilderness and mineral development is not mutually exclusive. We think they are compatible. Twenty years ago I probably would have had a different opinion. Today I think industry has learned a lesson that they can operate on public lands and particularly on lands with unique, specific environmental concerns, and do this in a husbandlike manner with concern for the environment and for the pristine beauty and still explore for the crucial resources that are needed by this country.

As you know, we are still importing petroleum at a cost of \$77 billion a year to this country. We are still importing strategic minerals, almost 100 percent in certain minerals, and that there is a pressing need for national security to develop domestic resources. We feel that S. 2801 precludes the ability to inventory some of our public lands for these vital resources, and unfortunately when the good Lord made this Earth he didn't separate out the pristine beauty areas from the mineral resources areas. One oftentimes overlies the other, and as such we have to take a balanced approach. We feel that this bill does not.

I think to put this all in perspective, and many figures have been used here this morning and I won't repeat those, but 10 years ago we were looking at 16 million acres of wilderness and further study areas. Today there are approximately 229 million acres in the United States in these two categories, including Alaska, of course, so I think that means that approximately one out of every three federally owned acres is restricted from mineral exploration.

Just how much wilderness, you know, can we afford and not necessarily does it mean that the best wilderness system is the biggest one? We object to really the substantial withdrawals of the opportunity to make mineral assessments on wilderness areas as well as the further study areas which have been held in limbo for a number of years. We heard Secretary Crowell talk about the problems they have had with the California versus Bergland decision of lands that were supposedly to be turned back to the multiple use category that are now held up in court actions.

I don't know. Maybe this is a prelude to RARE IV and RARE V, let alone RARE III, so I think this bill does not even address those possibilities. I think, or we think rather there needs to be an end gate placed on these study processes, that these areas that are in de facto wilderness need to be released, turned back into the multiple use.

One of the things that permeates this bill is the fact that people fail to realize, or some of the proponents fail to realize that the Federal Land Management Act agencies—the Forest Service, the Department of the Interior and its agencies—still manage the public lands. Just because they issue a lease doesn't mean they go away and forget about it. We have talked about surface occupancy stipulations and other restrictions. Just ask anybody in our indus-

try. They will tell you that they certainly manage the lands because we deal with them on a daily basis, and although we don't always agree with them, I have to agree that the Federal land managers are doing a professional job and the best job they can. I don't always tell them that so publicly. Maybe we can give them a pat on the back, but you talk about these further study areas, and you know in the Forest Service EIS they say the best way to determine whether or not there are any other values in addition to wilderness values is to explore.

In fact, I quote from the EIS of the Forest Service. It says:

For the above reasons, having laid out the basis to try to assess the mineral potential for oil and gas and mineral exploration, including drilling, where adequate exploration requires it, will be considered an integral part of the further planning process.

Now how in the world under this bill can you further study these lands without being able to explore them? I think there is an inconsistency in and of itself there.

As I said, we need to have in this bill an end to the wilderness study, and we also need some strong release language that lands must not be kept in limbo. They must be turned back for the multiple use management, that such management is compatible with preserving the unique characteristics of these areas.

I think also that the emergency provisions in this bill are dangerous. They have what I call a Manhattan-project mentality. All of a sudden we may need some minerals, whether it be oil and gas or some strategic minerals, and then it's man the torpedos, full bulldozers ahead, and that is not the way to do it. The way to do it is through a systematic process of exploration. It takes 8 to 10 years from the discovery of an oil and gas field to bring it on stream. It took 50 years from the first well that was drilled in the Overthrust Belt, and then 500 dry holes later a significant discovery was made in 1975.

It is not an overnight operation. You can't turn it on and off.

I will conclude by saying that we also must keep in mind that the Government may be a good lands manager, but they are a very poor explorer. The best exploration is done by private industry who has an incentive to do so through multiple disciplines. More will be said about that later on this panel.

In summary, we oppose S. 2801 for the reasons I have listed. It is not a balanced approach. It fails to consider other values other than wilderness. It precludes gathering information to make an intelligent decision, and ignores the release of land back into the multiple use category.

Thank you very much, Mr. Chairman, and anything we can provide you or your staff or other members of the committee we are happy to do so.

[The prepared statements of Mr. Dibble follow:]

STATEMENT
OF
GEORGE S. DIBBLE, JR.
REPRESENTING
ROCKY MOUNTAIN OIL AND GAS ASSOCIATION
AND
WESTERN OIL AND GAS ASSOCIATION

My name is George Dibble. I am Vice President of Husky Oil Company, Denver, Colorado. I am also a past President of the Rocky Mountain Oil and Gas Association (RMOGA), and a member of the RMOGA Executive and Operating Committees. I am pleased to be here today to present the views of RMOGA and the Western Oil and Gas Association (WOGA) on S. 2801, the Wilderness Protection Act of 1982.

RMOGA is a trade association which was organized more than 60 years ago to provide a unified voice for oil and gas companies on public lands issues and problems. Today its membership is comprised of 800 individuals and companies, large and small, which are actively involved in all phases of the oil and gas industry throughout the Rocky Mountain West.

RMOGA has traditionally worked towards developing balanced policies for land management which consider the benefits of multiple use, mineral development, and environmental protection. Activity on the public domain is an integral part of the energy business in the Rocky Mountains, and reasonable access for mineral development is a matter of paramount importance to our members.

While we have and will continue to seek a balanced approach to policy development, we are strongly opposed to the legislation under consideration here today. In our opinion, S. 2801 is an overreaction to the emotional issues surrounding wilderness, and constitutes a grave policy error which will have long lasting and far-reaching adverse effects on both our domestic mineral supply capabilities and our ability to soundly and effectively manage the nation's public lands.

The issues involved in this legislation have not received adequate consideration. While no one would argue that protection of wilderness areas is not a worthwhile and desirable goal, consideration must be given to balancing wilderness values with other resource values and land uses. The withdrawals proposed by this legislation, along with the tremendous amount of other lands already withdrawn from mineral entry, constitute such a vast land base that this country's ability to explore for and produce domestic energy supplies would be seriously undermined.

This legislation withdraws more than 36 million acres of land from mineral leasing. When added to the lands already withdrawn from mineral leasing through such designations as national parks, wildlife refuges, historic trails, and recreation areas, to name a few, this bill amounts to a 75% increase in the amount of land in the lower 48 states that is presently off-limits to mineral activity. This is occurring at a time when the United States continues to import over one-third of our total petroleum needs at an annual cost of \$76.7 billion (1981). The national security implications of this fact must be considered in any decision to further limit our ability to provide domestic energy supplies. Recent events in the Middle East underscore the importance of the U.S. maintaining a reliable domestic energy development program.

While there are numerous land classifications which account for the vast amount of acreage in restrictive management categories, none paints so clear a picture of what is happening to our public lands as that of wilderness and wilderness study areas. Let me put this into perspective: Ten years ago, there were 16 million acres of land in wilderness and wilderness study class-

ifications. Today, there are 229 million acres in these two categories. That means approximately one out of every three acres of federal land is either in designated wilderness or is undergoing study for wilderness. One of the questions central to the wilderness debate today, then, is do we have enough wilderness, and are our lands being managed in such a way so as to provide the greatest benefit to the nation? We believe it should be recognized that the best wilderness system is not necessarily the largest one that can be amassed.

RMOGA's objections to the substantial land withdrawals, proposed by this measure, point to a fundamental public misconception about what is necessary to manage our wilderness areas and other lands with sensitive environmental values in such a manner that they can be protected. Proponents of this bill assume that the only way to protect and preserve these lands is to withdraw them entirely from mineral activity. Industry's operating experiences and our exemplary rehabilitation capabilities, however, simply do not bear out this argument.

The compatibility of oil and gas operations with sensitive environmental values can be corroborated by numerous examples of rehabilitation and reclamation conducted by the industry. The popular notion that opening public lands for the search for minerals will desecrate their environmental values is entirely inaccurate. The sophisticated nature of today's exploration and rehabilitation techniques combined with stringent environmental controls, make operations in sensitive ecosystems far more justifiable and acceptable than ever before. Compliance with the multitude of environmental laws, regulations, and requirements, which are designed to protect the environment, wildlife,

soil, and water, ensure adequate safeguards for the environment. Industry has demonstrated repeatedly that it can operate in sensitive areas without any permanent impairment or significant degradation of environmental values.

Although this measure has been touted as a balanced bill, nothing could be further from the truth. There is nothing in this legislation which meaningfully addresses our nation's energy policy problems, our national security concerns, our economic condition, or our strategic mineral needs; there is nothing in this bill which requires an awareness of the extent of mineral resources that are being locked away through mineral withdrawals. S. 2801 would prohibit exploration efforts to be undertaken on more than 37 million acres of federal land. These lands, nearly half of which are under study and not even designated wilderness areas, would not be given a chance to be inventoried for their mineral potential, making it impossible to determine what minerals are present before being permanently set aside.

We are adamantly opposed to any legislation which undermines the very purpose for placing these areas in a study classification in the first place, and that is, to analyze the land's non-wilderness resources in order to better determine its highest and best use when viewed in conjunction with its wilderness values. It stands to reason that a subsurface inventory should be part of this analysis.

RARE II Further Planning Areas, for example, were designated by the Forest Service for the express purpose of studying more fully their mineral potential so that informed resource "trade off" decisions could better be made. The Final Environmental Impact Statement of the RARE II Program stated:

Unless there is additional exploration for oil and gas resources permitted in many areas allocated to further planning, subsequent wilderness - non-wilderness decisions will have to rely on data not much better than currently exists. Knowledge about the oil and gas potential varies considerably between roadless areas but, at best, is fragmentary and far from conclusive. In most areas, virtually no exploration for oil and gas has occurred. In others, geophysical surveys and a few widely spaced, unproductive wells have been drilled.

Exploration by drilling to determine oil and gas potential is essential in reaching conclusions in land management or project plans that allocate roadless areas. Such exploration would provide the only rational basis for a determination on whether national interest requires production of oil and gas or whether the area should be included in the Wilderness System. If exploration establishes absence of significant quantities of these minerals, the planning process can be completed without further delay. Significant oil and gas resources could be unknowingly included in statutory wildernesses at a time when production of oil and gas would be highly beneficial from a national energy standpoint. Because the issuance of mineral leases in established wildernesses is presently authorized but highly controversial, it is important that conflicts between oil and gas and wilderness resources be resolved prior to the completion of land management planning.

For the above reasons, oil and gas exploration (including drilling where adequate exploration requires it) will be considered an integral part of the further planning process. (Emphasis added)

It is illogical and preemptive to withdraw these areas from mineral activity, and thereby preclude a meaningful evaluation of their mineral potential to take place. This measure forecloses the opportunity for mineral information to become part of the decision-making process, yet Congress is going to be asked to make knowledgeable, informed decisions on the best use of these lands.

We also believe any wilderness protection legislation must address the serious problem of an end to wilderness study. The uncertainty and delay caused by this perpetual analysis of lands for their wilderness potential must

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be terminated. Areas that were determined to be unsuitable for wilderness are not being returned to multiple use management and are still being managed to protect their wilderness characteristics. We believe RARE II must be considered an adequate study of Forest Service lands for wilderness suitability.

S. 2801 avoids the critical issue of release language and management of non-wilderness areas. Statutory language permanently releasing for multiple use RARE II lands found unsuitable for wilderness recommendation is essential to prudent land management and any balanced legislation. Why is there so much resistance to this rational treatment of RARE II lands? It is logical that lands found best suited for wilderness should be designated for wilderness; it makes equal sense that those areas found not suitable for wilderness be returned to non-wilderness management and not held in limbo pending further wilderness study. If areas are not qualified for wilderness, sound land management policies should allow their other natural resources to be managed and utilized for the good of the country.

S. 2801 also fails to respond to the related issue of the legal and factual sufficiency of the RARE II Final Environmental Impact Statement (FEIS) -- a matter which Congress cannot ignore if non-wilderness RARE II lands are ever to be freed from continuous legal challenges and managed for multiple use. As you know, California v. Bergland, which challenges the sufficiency of the FEIS for non-wilderness lands in that state, is still pending before the Ninth Circuit, preventing the release of these areas to non-wilderness management. There is no doubt that this same dilatory tactic will be utilized in every state to prevent the return of these lands to normal multiple use management.

I would also like to comment on another aspect of this bill which we believe is fundamentally unsound, and that is the emergency provision which authorizes the President to recommend to the Congress that wilderness areas be opened to mineral activity when necessary to respond to an "urgent national need".

The belief that spur-of-the-moment exploration and development activities in wilderness or any other area can produce viable, meaningful energy supplies to respond to an energy embargo or other energy crisis is simply unrealistic. This provision ignores the realities of oil and gas exploration capabilities.

Oil and gas exploration is a continued process of gradually increasing information coming from many sources. With each new well that is drilled, our geological knowledge of that area and our understanding of the forces and events that shaped the earth's crust become more complete. Our geophysical methods are constantly improving in their ability to show us the structure of the earth prior to drilling. This growth of knowledge occurs in concert with increasingly sophisticated and informed geological hypotheses that are constantly being created, tested, discarded, and/or revised. This process cannot be switched on and off. There simply is no substitute for continued access to these lands and the flexibility to respond to changing economic conditions.

The fact that unsuccessful wells have been drilled in an area is no assurance that the area's resource potential has been adequately evaluated. The history of oil, gas, and mineral exploration is replete with examples of substantial deposits being missed or overlooked for many years. The

Overthrust Belt is the most prominent example of this. Since exploration began nearly 50 years ago, more than 500 dry holes were drilled before the first significant discovery was made in 1975. Today the Overthrust Belt is the most productive and most promising area for domestic hydrocarbon supplies. It is often difficult to understand and appreciate the scientific uncertainties and the economic risks that we deal with in mineral exploration.

Lead times from initial oil and gas exploration to first production can range from three to eight years in frontier areas. If production is found in such areas, transportation facilities necessitate an additional period of time which could be as long as three years for a major pipeline, depending on its location and the proximity of other facilities. It is therefore highly unrealistic to maintain that, should an emergency situation occur and wilderness areas be opened up to mineral activity as a national necessity, mineral development in these areas can in any timely way respond to that crisis.

However well-intentioned, the net effect of an emergency response to the wilderness management question would be to permit a destructive invasion of wilderness areas without the environmental controls and safeguards now possible. RMOGA supports a careful, responsible exploratory program in our wilderness and other areas rather than an emergency approach under which the need to produce minerals will override, and possibly sacrifice environmental protection of these lands. We believe a policy providing for continuous exploration and development by the private sector -- in a responsible and environmentally-sound manner -- in wilderness and wilderness study areas will best serve our national interests. Only in this way can wilderness lands be adequately protected, while their energy resources are evaluated and utilized.

Furthermore, I would like to point out that the mineral surveys authorized by this legislation will not yield sufficient information concerning an area's mineral resources. The Government cannot afford to spend the money required to conduct a thorough exploratory program, and they do not have the expertise in-house. In addition, superficial geologic evaluations that may be performed by the government would reveal no substantive data from which to reach conclusions about subsurface mineral potential. Without leases which convey the full right to explore and produce resources located thereon, industry, which is capable of producing meaningful mineral data, will not be provided the incentive through this legislation to explore these areas.

In addition, the bill's prohibition on the use of "explosives" -- which is a misleading term -- belies this technology's desirability both from an environmental and informational standpoint. Use of this exploratory technique produces no discernible effects on the land, and is probably the most environmentally-defensible exploratory method available. Seismic technology is also the most accurate geophysical method for determining the favorability of an area to contain oil and gas deposits. However, the actual presence of hydrocarbon resources can only be determined by drilling.

Finally, I would like to respond to one of the more blatant untruths that has permeated the debate on the question of wilderness area management, and that is the allegations of recent studies published by special interest groups regarding the estimated oil and gas potential of wilderness areas. These studies are premised on the incorrect assumption that oil and gas deposits are found in equal proportions in all areas or regions; they fail to

take into account geologic surprises or technological advances which have so characterized the discoveries in areas such as the Overthrust Belt. Wilderness areas are virtually unexplored and therefore no accurate assessment of their mineral potential can be made.

In conclusion, we oppose S. 2801 because it considers only wilderness values and fails to recognize the many other resource values on our public lands and our national needs. This legislation would lock away large amounts of land without knowing their mineral potential, and would preclude the gathering of meaningful geologic information essential for making wilderness decisions on the study areas -- a fact which practically assures their fate since subsurface values will not be considered as part of the decision-making process. S. 2801 ignores the need for release language necessary to return to non-wilderness management those areas determined to be unsuitable for wilderness designation, and it leaves open to further challenge and uncertainty the status of millions of acres of non-wilderness Forest Service lands. We believe this measure is premised on misconceptions and a lack of understanding of the realities of oil and gas exploration and production practices.

Mr. Chairman, we would be pleased to work with you and the Committee to assist in the development of balanced legislation which would provide for the protection of our nation's wilderness areas while permitting the vast mineral resources of our public lands to be explored and developed for the nation's benefit.

Thank you.

TESTIMONY
OF
GEORGE S. DIBBLE, JR.
VICE CHAIRMAN OF THE WILDERNESS AD HOC COMMITTEE
WESTERN REGIONAL COUNCIL

Mr. Chairman and Members of the Subcommittee:

I am George S. Dibble, and I am here today as Vice Chairman of the Wilderness ad hoc Committee of the Western Regional Council.

The Western Regional Council was organized to provide a unified voice for the business community of the Intermountain West. Its membership, composed of chief executive officers of corporations doing business within the Mountain States region, is working to establish balanced policies which consider the benefits of both economic development and environmental preservation. The Council provides a forum for the resolution of business and industry problems on a regional basis. I am pleased to be here today on behalf of the Council to discuss our conclusions with respect to S.2801, The Wilderness Protection Act of 1982.

INTRODUCTION

The greatest overall undiscovered mineral resource potential in the United States exists on federal lands. The same geologic forces that created the mountains and their scenic beauty -- the volcanic action, faulting, uplifts, the movements of tectonic plates, and other forces -- are also the forces that account for the migration and deposition of energy and minerals. For these reasons the retained Federal lands may constitute our national treasure house of energy and minerals.

S.2801 would immediately withdraw some 35 million acres of publicly owned lands and resources from even the most environmentally sound exploration and production processes. It was the clear intent of Congress and explicit in the Wilderness Act that such areas were to remain open to exploration and development until 1984, subject to reasonable regulations to insure protection of wilderness values and restoration of any lands affected by these activities.

We regard the denial of access to the Federal lands as the paramount public land energy and mineral issue facing us today. The world of exploration has shrunk. The places where we can search for energy and minerals is declining. The notion that opening public lands for the search for energy and minerals will despoil and waste the lands is not accurate with the nature of today's exploration techniques and with existing environmental controls. It has been estimated that as much as two-thirds of our public lands are now effectively withdrawn from energy development through wilderness designations, wilderness study programs, management policies, and regulatory requirements. These restrictions are the direct result of the failure to recognize that a reasonable and proper balance can be reached between protection and development (See Appendix One for a description of these restrictions).

S.2801 ignores the numerous environmental protection laws and techniques that have been developed over the past decade to insure that man's activities are conducted in a responsible manner, and to safeguard wildlife, scenic and recreational values. The bill proceeds on the apparent assumption that these laws and techniques do not exist, and that the only way to protect an area is to designate it as wilderness and prohibit energy and mineral activities.

I would like to make clear that we do not know with any degree of certainty the extent of the energy and minerals contained in our public lands. The knowledge we do have indicates a very high potential for the existence of both energy and nonfuel resources. A true inventory cannot be performed, however, without extensive drilling to explore the subsurface. While it is a worthwhile goal for proposed wilderness areas to be thoroughly explored for their subsurface resource potential before a final wilderness decision is made, to do so will take millions of dollars and years of exploration activity. Such an investment can realistically only be made by private enterprise. Thus, continued access to public lands for exploration and development must be allowed.

RELEASE LANGUAGE

In the last two years, the WRC has testified at least six times before a number of Senate and House Committees on the need for release language. Even though this message has been repeatedly stated by the WRC and many other organizations, the Council finds itself once again testifying on a bill, S.2801, which contains no release language to insure that wilderness study areas do not remain in de facto wilderness status after it is determined that these areas are not suitable for such designation.

For the past decade the management status of at least one-third of the National Forest System has been in limbo because Congress has not statutorily proclaimed whether it is to be wilderness or non-wilderness. The wilderness process has been, and continues to be, embroiled in studies, restudies, and court cases. From 1977 to 1979, the Forest Service studied its roadless areas for a second time to determine which areas should be and should not be recommended for wilderness. Today, in 1982, the Congress and the courts have still not completely resolved this issue.

This long debate has created enormous uncertainty and insecurity that only Congress can resolve. This uncertainty particularly impacts the energy and natural resource industries. Each public land withdrawal, each acre awaiting final determination, further limits acreage accessible to exploration and development. These withdrawals have serious implications for this nation's future supplies of energy and minerals, the U.S. balance of payments, and the domestic rates of inflation.

Wilderness designation precludes multiple use. However, designation of lands for "further planning" also is a serious impediment to the evaluation and use of the public lands. This designation creates de facto wildernesses. Although these lands have not been finally designated wilderness they must be managed so as to preclude multiple use. In fact, regulations affecting "future planning" areas are

more stringent than those provided for in the Wilderness Act. Lands designated as "wilderness areas" are at least, theoretically, open to entry, exploration, and development until December 31, 1983.

Unless the Forest and Rangeland Renewable Resources Planning Act (RPA) is revised, a wilderness review spanning 1-2 decades (depending on the area involved) will be followed by a relatively brief period of multiple use management -- and then by another series of wilderness studies and appeals, covering significant acres and time, during which the previously mentioned non-wilderness uses will once again be banned. The RPA requires that this wilderness study process be repeated every 10-20 years.

The increasing curtailment of resource development on public lands is one of the most serious problems facing energy and mineral industries. The point that needs to be made is that exploration and development and protection of wilderness values are not mutually exclusive. Exploration and production can be conducted without "unnecessary" or "undue" degradation. The Federal government should encourage, in the interest of determining resource potential, access to the public lands, under appropriate protective guidelines. In order to determine resource potential, energy and mineral companies must have improved access to the public lands. Energy consumers and the national economy will be the losers if domestic production of energy and minerals decline.

The WRC would like to emphasize that the protection of wilderness values and the release of lands found not suitable are not in conflict -- it isn't an either/or situation. Even long-term, generic release language would not preclude a future Congress from studying the public lands for their wilderness values at a future date. Congress can always initiate another, additional wilderness study. Therefore, the WRC requests that the Subcommittee amend S.2081 to provide:

--that wilderness study areas determined to be unsuitable for wilderness status be released and managed for multiple use.

--that all non-wilderness lands be managed for uses other than wilderness unless Congress directs otherwise.

--that any remaining studies by administrative agencies and Congress be concluded by specific dates.

--that Federal lands reviewed under these processes not be reviewed again until the year 2000.

--that the withdrawal provisions of Section 2 of S.2801 apply only to the lands designated as components of the National Wilderness Preservation System.

CONCLUSION

The Western Regional Council would request that this Subcommittee not over react to the emotions surrounding this issue. The Council does not oppose the designation of appropriate lands as wilderness nor does it oppose the protection of lands so designated from undue degradation. However, the WRC does oppose the way S.2801 is written since it seems to present a simplistic solution to a very complex issue. The issues raised by this legislation are too important to make hasty decisions before the consideration of the consequences of such decisions.

Thank you for the opportunity to comment on S.2801. The WRC would ask that you consider that the WRC represents a cross-section of the business community in the Intermountain West. The economic well-being of the employees of these businesses and the communities in which these businesses are located often depend on businesses having access to the public lands. These businesses and the people which depend on them also have a "western viewpoint" on access to the public lands and this viewpoint is worthy of your consideration.

Senator WALLOP. Thank you.
Mr. Hughes?

STATEMENT OF RICHARD T. HUGHES, LEGISLATIVE AND REGULATORY ANALYST, CENTRAL REGION, CHEVRON, U.S.A., INC.

Mr. HUGHES. Thank you Mr. Chairman, members of the committee. My name is Richard Hughes. I am employed by Chevron, U.S.A., Inc., as a legislative and regulatory analyst for the central region headquartered in Denver, Colo.

Chevron is a domestic oil and gas subsidiary of Standard Oil Co. of California and is active in exploration and production both onshore and offshore throughout the United States. I am here today to share thoughts on S. 2801, the Wilderness Protection Act of 1982.

We recognized that this country is blessed with many special areas which warrant special land management attention. We support the efforts of Congress and the executive branch to manage these areas with an eye toward protecting their unique values.

We do not, however, agree that the large-scale mineral withdrawal which would be effected by S. 2801 is the only way or the best way to manage the resource values in our designated wilderness or our wilderness candidate areas.

When the management of lands as wilderness was given congressional consideration in 1974, Congress recognized that mineral activity should continue and could continue under appropriate regulation without any permanent impairment of the values which the wilderness designation sought to protect. The intent of the 88th Congress is clearly demonstrated in section 4(d)(3) of the Wilderness Act. The inclusion of section 4(d)(3) appears to have been based on two premises. First, this Nation cannot afford to lock away vast amounts of public land without knowing their potential for production of energy and mineral resources.

Second, that mineral activity could occur in a manner compatible with the management of an area as wilderness; both of these premises still hold, and in fact they are even more compelling today than they were in 1964. The technological advances made since 1964, particularly in the areas of rehabilitation and reclamation, are far beyond what was envisioned when Congress provided for continued mineral activity in wilderness areas. Today a large-scale mineral withdrawal based on the assumption that oil and gas activity is not compatible with environmental concerns is simply not based on fact.

During the years since the passage of the Wilderness Act we have witnessed a heightened awareness of environmental protection and seen an increase in the laws and regulations designed specifically to protect many of the same values which the wilderness designation seeks to protect. This body of environmental law would, when properly administered and complied with, insure that mineral activity cannot lead to any permanent impairment of wilderness values.

As to the question of whether this country can now afford to forgo the energy and mineral resources which may underlie our wilderness areas, we believe the answer is "No." Notwithstanding

the fact that the petroleum supplies and prices have recently stabilized over the short term and that we have made significant strides in recent years to reduce our dependence on imported oil, we find it shortsighted to interpret this present situation as an end to our quest for energy self-sufficiency. We continue to import nearly one-third of our petroleum needs and our sources continue to be unstable. Thus the premises which prompted the enactment of section 4(d)(3) remain valid and the same premises indicate to us that the interest of the Nation would be best served by continued access to wilderness areas and wilderness candidate areas.

We suggest that at this date the appropriate congressional action is to proceed on a course of exploration and production of oil and gas on public lands and to direct the responsible agencies to develop the necessary regulatory framework to insure that mineral activity proceeds along with the protection of other values.

If I have 1 more minute, I would like to respond to——

Senator WALLOP. You have about 45 seconds.

Mr. HUGHES. Some of the reasons that support of a proposal like S. 2801 is a perceived threat to wilderness because of lease applications. It is to ignore reality to equate a lease application with development of an oilfield.

Historically less than 10 percent of the Federal onshore leases are ever actually drilled upon, and of those drilled upon, less than 1 in 10 is likely to discover commercial quantities of oil and gas. When you further reduce that factor by the acreage which is actually disturbed, the ratio of lease lands to land that is likely to be disturbed is minimal, and I just want to dispel the image of a rapid, you know, plunging into the wilderness if the leases are granted.

[The prepared statement of Mr. Hughes follows:]

STATEMENT BY
RICHARD T. HUGHES
CHEVRON U.S.A. INC.

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

My name is Richard T. Hughes. I am employed by Chevron U.S.A. Inc. as a Legislative and Regulatory Analyst for the Central Region headquartered in Denver, Colorado. Chevron is the domestic oil and gas subsidiary of Standard Oil Company of California and is active in exploration and production of oil and gas, both onshore and offshore, throughout the United States. Our Central Region encompasses 17 states including the Rocky Mountain Area. I am here today to share our thoughts on S.2801, the Wilderness Protection Act of 1982.

We recognize that this country is blessed with many special areas which warrant special land management attention. Among these areas are our Wild and Scenic Rivers, our Wildlife Refuges, our National Parks and our National Wilderness Preservation System. We support the efforts of Congress and the Executive Branch to manage these areas with an eye toward protecting their unique values. Still, we do not agree that the

LARGE SCALE MINERAL WITHDRAWAL WHICH WOULD BE EFFECTED BY S.2801 IS THE ONLY WAY, OR THE BEST WAY IN WHICH TO PROTECT THE RESOURCE VALUES IN OUR DESIGNATED WILDERNESS AND WILDERNESS CANDIDATE AREAS.

WHEN THE MANAGEMENT OF LANDS AS WILDERNESS WAS GIVEN STATUTORY CONSIDERATION IN 1964, CONGRESS RECOGNIZED THAT MINERAL ACTIVITY SHOULD CONTINUE AND COULD CONTINUE, UNDER APPROPRIATE REGULATION, WITHOUT ANY PERMANENT IMPAIRMENT OF VALUES WHICH THE WILDERNESS DESIGNATION SOUGHT TO PROTECT. THE INTENT OF THE 88TH CONGRESS THAT MINERAL ACTIVITY SHOULD CONTINUE IN WILDERNESS AREAS IS CLEARLY DEMONSTRATED IN SECTION 4(D)(3) OF THE WILDERNESS ACT WHICH PROVIDES FOR THE CONTINUED APPLICATION OF THE MINING AND MINERAL LEASING LAWS UNTIL DECEMBER 31, 1983, SUBJECT TO REASONABLE REGULATIONS GOVERNING INGRESS AND EGRESS. THE INCLUSION OF SECTION 4(D)(3) IN THE WILDERNESS ACT WAS BASED ON TWO PREMISES. FIRST, THAT THIS NATION COULD NOT AFFORD TO LOCK AWAY VAST AMOUNTS OF PUBLIC LAND WITHOUT KNOWING THEIR POTENTIAL FOR PRODUCTION OF

ENERGY AND MINERAL RESOURCES. AND, SECOND, THAT MINERAL ACTIVITY COULD OCCUR IN A MANNER COMPATIBLE WITH MANAGEMENT OF AN AREA AS WILDERNESS. BOTH OF THESE PREMISES STILL HOLD; AND IN FACT ARE EVEN MORE COMPELLING TODAY THAN THEY WERE IN 1964.

THE TECHNOLOGICAL ADVANCES MADE SINCE 1964, PARTICULARLY IN THE AREAS OF RECLAMATION AND REHABILITATION, ARE FAR BEYOND WHAT WAS ENVISIONED WHEN CONGRESS PROVIDED FOR CONTINUED MINERAL ACTIVITY IN WILDERNESS AREAS. TODAY, A LARGE SCALE WITHDRAWAL BASED ON THE ASSUMPTION THAT OIL AND GAS ACTIVITY IS NOT COMPATIBLE WITH ENVIRONMENTAL CONCERNS, IS SIMPLY NOT BASED IN FACT. DURING THE YEARS SINCE THE PASSAGE OF THE WILDERNESS ACT, WE HAVE WITNESSED A HEIGHTENED AWARENESS IN ENVIRONMENTAL PROTECTION. CONSEQUENTLY, WE HAVE SEEN AN INCREASE IN THE LAWS AND REGULATIONS SPECIFICALLY DESIGNED TO PROTECT MANY OF THE SAME VALUES WHICH THE WILDERNESS DESIGNATION SEEKS TO PROTECT. THIS BODY OF "ENVIRONMENTAL LAW", WHEN PROPERLY IMPLEMENTED AND ADMINISTERED, IS SUFFICIENT TO ASSURE

THAT MINERAL ACTIVITY IN WILDERNESS AREAS CANNOT LEAD TO PERMANENT IMPAIRMENT OF WILDERNESS VALUES.

AS TO THE QUESTION OF WHETHER THE COUNTRY CAN NOW AFFORD TO FOREGO THE ENERGY AND MINERAL RESOURCES WHICH MAY UNDERLIE PARTS OF OUR WILDERNESS AREAS; WE BELIEVE THE ANSWER IS NO. NOTWITHSTANDING THE FACTS THAT PETROLEUM SUPPLIES AND PRICES HAVE RECENTLY STABILIZED OVER THE SHORT-TERM AND THAT WE HAVE MADE SIGNIFICANT STRIDES, IN RECENT YEARS, TO REDUCE OUR DEPENDENCE ON IMPORTED OIL; WE FIND IT VERY SHORT-SIGHTED TO INTERPRET OUR PRESENT SITUATION AS AN END TO OUR QUEST FOR ENERGY SELF-SUFFICIENCY. WE CONTINUE TO IMPORT NEARLY ONE-THIRD OF OUR PETROLEUM NEEDS AND OUR SOURCES CONTINUE TO BE UNSTABLE. IF THIS NATION IS EVER TO ACHIEVE REAL ENERGY AND MINERAL SECURITY, CONGRESS MUST CONTINUE TO ENCOURAGE THE SEARCH FOR NEW DOMESTIC RESOURCES AND THE LANDS WHICH WOULD BE WITHDRAWN BY S.2801 MUST IN INCLUDED IN THAT SEARCH.

THUS, THE PREMISES WHICH PROMPTED THE ENACTMENT OF SECTION 4(D)(3) OF THE WILDERNESS ACT REMAIN VALID. THESE

SAME PREMISES INDICATE TO US THAT THE INTEREST OF THE NATION WILL BE BEST SERVED BY CONTINUED ACCESS TO WILDERNESS AND WILDERNESS CANDIDATE AREAS. SUCH ACCESS MUST NOT VARY ACCORDING TO INTERPRETATION BY THE RESPONSIBLE AGENCIES. RATHER, IT MUST BE CONSISTENT SO THAT MINERAL ACTIVITY CAN PROCEED AT AN ORDERLY PACE, WITH ALL ENVIRONMENTAL SAFEGUARDS IN PLACE. WE SUGGEST THAT THE APPROPRIATE CONGRESSIONAL ACTION, AT THIS DATE, IS TO PROCEED ON A COURSE OF ENCOURAGING THE EXPLORATION FOR AND PRODUCTION OF OIL AND GAS ON PUBLIC LANDS; AND TO DIRECT THE RESPONSIBLE AGENCIES TO DEVELOP THE NECESSARY REGULATORY FRAMEWORK TO ASSURE THAT MINERAL ACTIVITY PROCEEDS IN HARMONY WITH THE PROTECTION OF OTHER RESOURCE VALUES.

I WOULD LIKE TO TAKE A FEW MINUTES TO RESPOND TO SOME OF THE REASONING WHICH GIVES RISE TO PROPOSALS LIKE S.2801. A THREAT TO WILDERNESS IS PERCEIVED BECAUSE OF THE FACT THAT LEASE APPLICATIONS HAVE BEEN FILED COVERING SOME OF THE LANDS UNDER WILDERNESS DESIGNATION. IT IS IGNORING REALITY TO EQUATE LEASE APPLICATIONS WITH THE DEVELOPMENT OF OIL AND GAS FIELDS.

HISTORICALLY, EXPLORATION ON FEDERAL ONSHORE LEASES HAS RESULTED IN LESS THAN 10% OF ALL SUCH LEASES EVER BEING DIRECTLY DRILLED UPON. OF LEASES DRILLED UPON IN WILDCAT AREAS, LESS THAN ONE IN TEN IS LIKELY TO DISCOVER COMMERCIAL QUANTITIES OF OIL AND GAS. IF THESE PERCENTAGES ARE FURTHER REDUCED BY THE SMALL PERCENTAGE OF LEASE ACREAGE WHICH WOULD ACTUALLY BE DISTURBED FOR ANY LENGTH OF TIME TO SUPPORT A PRODUCING OIL AND GAS FIELD, THE RATIO OF DISTURBED LAND TO LEASED LAND BECOMES MINUTE. WHILE THE AMOUNT OF LAND LIKELY TO BE DISTURBED IS RELATIVELY INSIGNIFICANT, THE POTENTIAL FOR CONTRIBUTION TO OUR NATION'S ENERGY SECURITY IS SIGNIFICANT. WHEN WE RECOGNIZE THE TIME-FRAME OF OIL AND GAS EXPLORATION AND DEVELOPMENT ~~THE~~ THE AMOUNT OF LAND WHICH IS ACTUALLY AFFECTED, ANY IMAGE OF RAPID, LARGE SCALE AND UNCONTROLLED ACTIVITY IN WILDERNESS AREAS SHOULD BE DISPELLED.

ANOTHER IDEA WHICH SHOULD BE ADDRESSED IS THAT THE OIL AND GAS INDUSTRY SHOULD EXPLORE THE MILLIONS OF ACRES OF NON-WILDERNESS LAND BEFORE ANY EXPLORATION IS CONDUCTED IN

WILDERNESS AREAS. THE FACT IS THAT THOSE AREAS ARE BEING EXPLORED AND WHERE DISCOVERIES ARE MADE, THEY ARE BEING DEVELOPED. THE INDUSTRY MUST PURSUE ITS PROSPECTS ON THE BASIS OF GEOLOGIC FAVORABILITY AND ECONOMICS, WHICH INCLUDES THE COST OF ENVIRONMENTAL COMPLIANCE. WE REALIZE THAT OPERATIONS IN WILDERNESS AREAS WILL BE DIFFICULT AND EXPENSIVE, BUT WE BELIEVE THAT THESE SAME FACTORS SHOULD DICTATE THE DECISION TO DRILL, OR NOT TO DRILL, JUST AS THEY DO IN OTHER AREAS WHERE THE INDUSTRY OPERATES.

THE LAST POINT WHICH SHOULD BE CLARIFIED IS THAT THE EMERGENCY RESPONSE CONCEPT EMBODIED IN SECTION 5 OF S.2801 IS NOT A COMPROMISE AND DOES LITTLE TO IMPROVE THE BILL. THE NOTION THAT WILDERNESS AREAS COULD BE OPENED TO MINERAL ACTIVITY TO RESPOND TO AN "URGENT NATIONAL NEED" IS UNREALISTIC. THE STUDY, PLANNING AND LEAD TIME NECESSARY TO DEVELOP A MINERAL PROSPECT PRECLUDES THIS TYPE OF EMERGENCY RESPONSE. THIS TYPE OF PROVISION DECEIVES THE PUBLIC INTO BELIEVING THAT SOME SORT OF MEANINGFUL FLOW OF RESOURCES COULD BE ESTABLISHED TO SUPPORT

THE NATION IN TIME OF URGENT NEED. FURTHER, IF THIS TYPE OF PROVISION WERE EVER IMPLEMENTED, WE FEAR THAT ENVIRONMENTAL SAFEGUARDS WOULD BE SACRIFICED IN THE INTEREST OF RESPONDING TO AN OVERRIDING NATIONAL NEED.

WE APPRECIATE THIS OPPORTUNITY TO PROVIDE OUR VIEWS.

THANK YOU.

Senator WALLOP. Thank you, Mr. Hughes.
Mr. Matthews?

**STATEMENT OF VINCENT MATTHEWS III, DIVISION MANAGER,
ROCKY MOUNTAIN DIVISION, LEAR PETROLEUM EXPLORA-
TION, INC.**

Mr. MATTHEWS. Thank you, Mr. Chairman. My name is Vincent Matthews. I am the manager of the Rocky Mountain Division. In addition to my present job, there are two areas of my background that have relevancy to my testimony. I was previously division exploration manager for Amoco Production Co. for the Overthrust Belt, and prior to that I was an associate professor of geology and environmental studies. I was cofounder of an interdisciplinary environmental studies program.

The concern I have about this bill is threefold. First, the bill would prevent an adequate assessment of the oil and gas potential of wilderness study areas, particularly in the complex areas of the Overthrust Belt, because only industry has the expertise and the experience to make an adequate assessment.

Second, oil and gas exploration can be conducted by industry in environmentally sensitive areas in a manner that will have minimal impact.

Third, the removal of even small areas of the Overthrust Belt from oil and gas exploration has the potential of having a major impact on our future resources because it has been demonstrated that very small areas of the Overthrust Belt can hold very major resources of oil and gas.

Many of these wilderness study areas lie along the Overthrust Belt, and because the Overthrust Belt is the most significant new petroleum province to be found in the United States since the discovery of Prudhoe Bay, most of my remarks are going to be directed toward Overthrust Belt exploration.

The figures 1 and 2 of my prepared statement show the Overthrust Belt which cuts across Western North America. It contains the most complex geology in North America, and exploration for oil and gas in this province is extremely difficult, and it still is in its infancy. The Overthrust Belt in the Western United States was considered a graveyard by the oil and gas industry as a result of

some 500 dry holes having been drilled in the belt prior to the 1975 discovery in northeastern Utah. Since 1975, many additional fields have been found in the Overthrust Belt in western Wyoming and adjacent Utah.

In testimony presented at the Federal Energy Regulatory Commission, Amoco estimated that enough energy has been found to supply the annual heating and cooling requirements for 600,000 midwestern homes for a period of 100 years. Significantly, this vast energy resource is concentrated in a small area that is less than one-half of 1 percent of the total land area of the Overthrust Belt in the Western United States.

The individual fields in this highly prolific area are also small in a real extent. For instance, 4 or 5 square miles in the Whitney Canyon Field of the Overthrust Belt can contain as much gas as an equivalent field north of Denver that covers 500 square miles. Because the fields in the Overthrust are so small in a real extent, they are a much harder target to find, but on the other hand, their small areal extent means there is much smaller impact on the environment.

One might ask why after 500 dry holes and so many years of exploration without success the Overthrust Belt is now experiencing such a high degree of success. The answer lies primarily with the sophisticated data processing of our seismic information, using computer methods that just weren't available a few years ago, but data processing is not the whole answer. Tremendous strides have been made in the way we obtain our seismic information. Lightweight shot-hole drilling rigs have been developed which can be transported by helicopter. Seismic sound waves are created by dynamite placed in the shot-holes underground, and detonated. This seismic technique is advantageous from two standpoints. First, it gives much better information than the above-ground explosion techniques, and secondly, the environmental impacts are much less.

The portable drilling technique is almost noiseless, leaves virtually no scar, and presents virtually no fire hazard.

Amoco Production Co. has carried out a seismic exploration program of this type in Montana in an area containing three endangered species. The Forest Service monitored this project very carefully, and I urge you to get the Forest Service's evaluation of this technique because I believe that they were very favorably impressed with how little impact this technique had on the environment.

The story of the responsible manner in which industry can conduct exploration in environmentally sensitive areas has not gotten to the general public. I would like to cite one specific example of where these achievements were ignored.

Last December PBS aired a program entitled "James Watt's Environment—The Promised Land." There were a number of opportunities that that film crew had to film environmentally sensitive operations, and they filmed those but chose not to show them on the program. That television program is typical of the type of misinformation that is being fed to the public about oil and gas exploration in environmentally sensitive areas.

In summary, I would like to emphasize the following points. Because of the sophisticated expertise needed to unravel the complexities of the Overthrust Belt, an adequate assessment of oil and gas potential of the areas affected by this bill can only be achieved by industry and not by Government agencies.

Second, because large volumes of oil and gas can occur in very small areas of the Overthrust Belt, the removal of any areas in the Overthrust from exploration could prove detrimental to the Nation's long-range energy security.

Third, seismic activities involving the use of explosives can be carried out with minimal environmental impact if the explosives are detonated in shot-holes rather than being detonated above ground.

Thank you.

[The prepared statement of Mr. Matthews follows:]

Statement of Vincent Matthews III, Ph. D.
Division Manager, Rocky Mountain Division
Lear Petroleum Exploration, Inc.
Englewood, Colorado

There are two areas of my background that are relevant to the testimony that I am about to give. First, I conducted exploration work in the Overthrust Belt from California to Canada for nearly five years while employed by Amoco Production Company, and when I resigned from Amoco last year, I was Division Exploration Manager for the Overthrust Belt. Secondly, prior to my experience with Amoco, I was an Associate Professor of Geology and Environmental Studies and was a co-founder of an Interdisciplinary Environmental Studies Program.

The concern I have about S.2801 is three-fold. 1) The bill would prevent an adequate assessment of the oil and gas potential of wilderness study areas, particularly in the complex areas of the Overthrust Belt, because only industry has the expertise and the experience. 2) Oil and gas exploration can be conducted in environmentally sensitive areas by industry in a manner that will have minimal impact. 3) The removal of even small areas of the Overthrust Belt from oil and gas exploration has the potential of having a major impact on our future resources because it has been demonstrated that very small areas of the Overthrust Belt can hold very major resources of oil and gas.

Many of these wilderness study areas lie along the Overthrust Belt and because the Overthrust Belt is the most significant new petroleum province to be found in the United States since the discovery of Prudhoe Bay more than a decade ago; most of my remarks are going to be directed toward Overthrust Belt Exploration.

The Overthrust Belt which cuts across western North America (Figure 1) is an area that formed more than 100 million years ago when huge masses of the earth's crust were squeezed together and moved distances that boggle the imagination. Entire mountain ranges in Western Wyoming have been brought to the surface from 2 miles under the ground and moved horizontally as much as 15 miles (Figure 2). These tremendous movements caused very intense crumpling and breaking of the rock layers within these large masses. As a result, this area contains the most complex geology in North America and exploration for oil and gas in this province is extremely difficult, and is still in its' infancy.

The first Overthrust Belt production in North America was found in 1936 in



Figure 1

THRUST BELT - Pre Thrusting

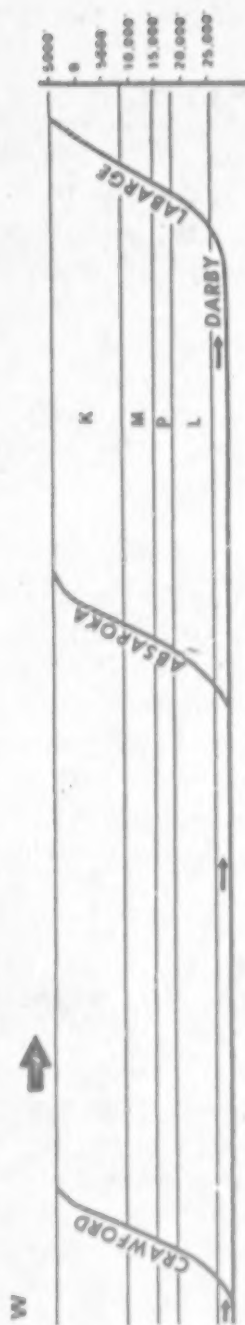


Fig. 2

THRUST BELT-Typical Cross Section

NOW

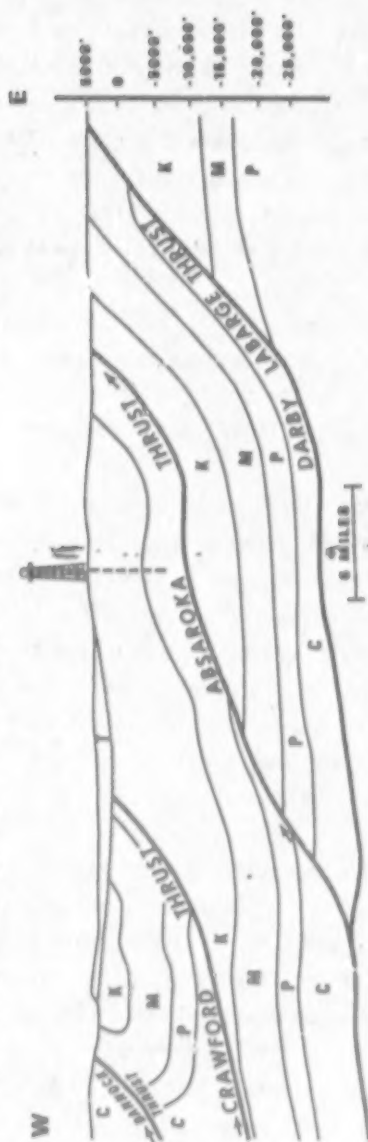


Figure 3

Canada near Calgary, Alberta. In the forty-four years since then, many other discoveries have been made in the Canadian Overthrust Belt. It is now estimated that about 16 trillion cubic feet of gas and 400 million barrels of oil have been found in the Canadian portion. The 16 trillion cubic feet of gas is equivalent to about one-third of a Prudhoe Bay-sized field when converted to BTU equivalents. Mexico has also established production in their portion of the Overthrust Belt. They presently are producing 180 million cubic feet of gas per day and the development of that area is still in its infancy. Additionally, several small gas fields have been found in the Alaskan belt just north of the Brooks Range.

The Overthrust Belt in the western United States was considered a graveyard by the oil and gas industry as a result of some 500 dry holes having been drilled in the belt prior to the 1975 discovery by American Quasar at Pineview Field in northeastern Utah.

Since 1975, many additional fields have been found in the Overthrust Belt in western Wyoming and adjacent Utah. In testimony presented to the Federal Energy Regulatory Commission, Amoco Production estimated that 8.5 trillion cubic feet of gas and 623 million barrels of oil have been found. This is enough energy to supply the annual heating and cooling requirements for 600,000 midwestern homes for a period of 100 years. Significantly this vast energy resource is concentrated in a small area only 10 x 50 miles in extent; a land area equal to less than 0.5% of the total land area of the Overthrust Belt in the western U.S.

The individual fields in this highly prolific area are also small in areal extent. For instance, one well in the Whitney Canyon Field has been estimated by Amoco to contain 265 BCF of gas in the square mile surrounding that well. Four or five square miles like this can contain 1 trillion cubic feet of gas. By comparison, a field with similar reserves located north of Denver which is not in the Overthrust Belt, covers 500 square miles, and contains approximately 800 wells. Because the fields in the Overthrust are so small in areal extent, they are much harder targets to find, but on the other hand, their small areal extent means that there is a much smaller impact on the environment.

One might ask why after 500 dry holes and so many years of exploration

without success, the Overthrust Belt is now experiencing such a high degree of success. The answer lies primarily with the sophisticated data processing of our seismic information using computer methods that just weren't available a few years ago.

A typical success story is exemplified in the recent discovery of a major new field in the Overthrust belt: East Painter Reservoir. Conventional processing of a seismic line over this area did not show a structure that warranted the drilling of a test well. However, a proprietary processing technique of Amoco's brought out the feature that subsequently led to the discovery of the field. To give you an idea of the high degree of sophistication used in this technique, the reprocessing took 2 1/2 hours of computer time. Following the discovery, another new seismic technique called 3D seismic was used to delineate the extent of the oil field. Computer processing of this data took nearly 6 months of full time effort. But data processing is not the whole answer.

Tremendous strides have been made in the way we obtain our seismic information. The seismic soundwaves are created by dynamite placed in shot holes and detonated. Light-weight, shot-hole, drill rigs have been developed which can be transported by helicopter. This seismic technique is advantageous from two standpoints. First, it gives much better information than the above-ground explosion techniques. Because the dynamite is being set off underground, rather than above-ground, it gets much more energy down into the ground where you want it. As a result, more and better data is recorded from the subsurface. Second, the environmental impacts are much less than the commonly used surface-explosion techniques. The portable-drill technique is almost noiseless, leaves virtually no scar, and presents virtually no fire hazard.

Amoco Production Company has carried out a seismic exploration program of this type in Montana in an area containing three endangered species. The Forest Service monitored this project very carefully. I urge you to get the Forest Service's evaluation of this technique because I believe that they were very favorably impressed with how little impact this technique had on the environment. Not all companies are currently using these portable drill-rig techniques. In my opinion, the Forest Service should be more stringent in not allowing above-ground seismic exploration and should require

the Portable Drill Technique in environmentally sensitive areas.

The story of the responsible manner in which industry can conduct exploration in environmentally sensitive areas has not gotten out to the general public. I would like to cite one specific example of where these achievements were ignored. Last December PBS aired a program entitled "James Watt's Environment--The Promised Land". I cooperated with the film company who produced the program by helping them to film various aspects of oil and gas operations in the Overthrust Belt. They filmed a drillsite in an environmentally sensitive area that had been completely reclaimed. They also visited the site on the ground with Forest Service personnel. That film segment was not used in the program. When I found out that they were planning to film another company's seismic crew that was using surface-explosion techniques, I asked them to film one of our nearby portable-drill crews so that the public could see that seismic exploration can be carried out in a responsible manner. They refused. I then offered, at Amoco's expense, to fly their crew into the environmentally sensitive area in Montana when their film crew was scheduled to be in that area. Again, they refused, and as a result, that program gave a very biased picture of oil and gas exploration. PBS refused my request to air a sequel demonstrating the positive efforts industry is making in oil and gas exploration in environmentally sensitive areas. That television program is typical of the type of misinformation that is being fed to the public about oil and gas exploration in environmentally sensitive areas.

In summary, I would like to emphasize the following points:

1. Because of the sophisticated expertise needed to unravel the complexities of the Overthrust Belt, an adequate assessment of the oil and gas potential of the areas effected by this bill, can only be achieved by industry, and not by government agencies.
2. Because large volumes of oil and gas can occur in very small areas of the Overthrust Belt, the removal of any areas in the Overthrust from exploration could prove to be detrimental to the nation's long-range energy security.
3. Seismic activities involving the use of explosives can be carried out with minimal environmental impact if the explosives are detonated in shot-holes rather than being detonated above-ground.

Senator WALLOP. Thank you.
Mr. Work?

**STATEMENT OF DAVID F. WORK, EXPLORATION MANAGER,
WESTERN REGION, AMOCO PRODUCTION CO. (USA)**

Mr. WORK. Thank you, Mr. Chairman. My name is David Work. I am an exploration manager for 17 Western States for Amoco Production Co., a subsidiary of Standard of Indiana.

While we are very interested in sensible solutions to the energy-wilderness controversy, we must oppose Senate bill 2801 as written because it is not a balanced bill. It represents an emotional response to a question which requires reasonable answers.

No one seems to be sure how many acres today would be withdrawn from oil and gas leasing if the bill passes. We believe potential withdrawals established by this precedent-setting bill are far greater than might be suspected today from initial examination.

We urge further review by this committee of this bill. Currently 80 million acres are designated wilderness, and study and candidate areas total 149 million. Potential withdrawal of this 229 million acres totals an area equal in size to the States of California, Nevada, and Arizona combined. There is no need to withdraw any wilderness or wilderness candidate study areas from oil and gas leasing.

It is especially unreasonable to withdraw study and candidate areas before they have been adequately evaluated for their energy and mineral potential. These study and candidate areas must be specifically exempted from any legislation which attempts to balance energy and mineral consideration.

Proponents of this bill say the only way to protect the wilderness value is to prohibit mineral entry. They say release from this prohibition will put the land under development mandate and these areas can never again be considered for wilderness.

That is incorrect. Release does not mean ruin, nor does it mean development. It simply means the lands are returned to the management status that they held prior to their identification for wilderness study. No development can occur on any released land until a myriad of environmental and permit requirements have been met. Not only are these many laws and regulations which are enumerated in my long text that you have in front of you, not only must these be met, but the sheer volume of these requirements makes the notion absurd that bulldozers are posed on the edge of the wilderness boundary awaiting the order to invade.

When we explore in pristine areas, we in fact recognize and have recognized the risk and the environmental requirement. We have never shirked the responsibility of paying the cost and doing the extra work associated with sensitive areas, nor do we intend to. We believe the studies, protective laws and planning are adequate to assure that released lands will not be destroyed.

We urge that you adopt permanent statutory release language for lands found to be unsuitable for designation as wilderness.

It has been and will continue to be said that any balanced legislation must acknowledge the legal and factual significance of the RARE II final environmental impact statement. The question

raised by *California v. Bergland* must finally be answered to end the legal uncertainty and threat of similar lawsuits in other States. This Senate bill also fails to define the length of time land should remain in wilderness study or candidate status or how many times they should be studied for wilderness. We must finally come to terms with these issues if you intend to withdraw any land from operations in the mineral leasing laws.

Charges have been made that many millions of Federal lands are under lease by our industry. Eighty percent of these lands will expire without being explored. This charge is misleading and incorrect. They equate exploration with drilling. As you have heard today, drilling is merely the final stage in the long exploration process. Failure to drill does not mean failure to explore or having exploration.

Leases which are not drilled may look attractive initially. Preliminary assessment work may indicate the prospect is not good, good enough to justify drilling. The charges ignore that exploration is not a static process. Whether we get a discovery or dry hole, we will reevaluate the theories on which our exploration programs are based.

The same geological forces which made the lands attractive for wilderness also make them prospective for energy and minerals. Thus conflict is built in. Only reasonable, balanced legislation which is based on facts about subsurface as well as surface resources can appropriately address the conflict.

Banning oil and gas activities on lands described in this bill and those that will inevitably follow is destructive public policy. It undermines America's ability to provide stable domestic energy supplies and national security for its citizens.

Amoco Production Co. cannot willingly support this philosophy. The members of this panel will be happy to address and answer any of your specific questions at this time.

[The prepared statement of Mr. Work follows:]

STATEMENT OF AMOCO PRODUCTION COMPANY (USA) ON S. 2801
BY
DAVID F. WORK

My name is David F. Work. I am Exploration Manager for the western region of Amoco Production Company (USA), headquartered in Denver, Colorado. Amoco Production Company is a wholly-owned subsidiary of Standard Oil Company (Indiana). Our principal job is finding oil and gas throughout the United States, both onshore and offshore. Our company has operations throughout the U.S., including many on federal land. Thus, we have a great interest in S. 2801.

We oppose the bill. Our company has been committed to environmental protection, wise use and sound development for many years. We stand by our record and this positive commitment. We, too, want to solve the energy/wilderness dilemma, but we want to solve it using logic and reason -- not emotional rhetoric based on false assumptions and statements.

There is confusion about how many acres are actually withdrawn from oil and gas leasing under S. 2801. If withdrawal were confined to the number of acres actually designated by Congress as components of the National Wilderness Preservation System in the lower 48 states as of today, we would have a firm number. As it is, the numbers can be and are being portrayed as "only a minute fraction of land" when the reality of the potential withdrawals may be very different indeed. Currently over 80 million acres of land are designated as wilderness. Another 149 million acres have been set aside as wilderness study or candidate areas. This 229-million-acre total represents 31 percent of all our public lands, an area the size of California, Nevada and Arizona combined. We have seen the wilderness system increase nearly 800% from what was contemplated by the 1964 Congress that passed the Wilderness Act. Some of these acres have always been off limits to energy exploration and others are supposedly excepted from the proposed legislation. We believe, however, they will follow domino-style as soon as the environmental coalition can get its champions to introduce new legislative proposals.

There is no need to withdraw existing wilderness from oil and gas leasing. Proponents of this bill say the only way to protect wilderness values is to prohibit mineral entry. They say release from this prohibition will put the land under a development mandate and these areas can never be considered again for wilderness.

"Release" does not mean ruin. Nor does it even mean development. It simply means that lands are returned to the management status they held prior to their identification for wilderness study. No development can occur on any released lands until all applicable environmental study

and permit requirements have been met. Some -- but only some -- of these environmental and permit requirements are contained in the following list of laws, most of which were passed within the last 20 years:

- Antiquities Act of 1906
- Multiple Use-Sustained Yield Act (1960)
- American Bald and Golden Eagle Protection Act (1962)
- Wilderness Act (1964)
- National Historic Preservation Act (1966)
- National Wildlife Refuge System Act (1966)
- Wild and Scenic Rivers Act (1968)
- National Environmental Policy Act (1969 and 1975 amendments)
- Clean Air Act (1967 and 1970 amendments)
- Environmental Quality Improvement Act (1970)
- Clean Water Act (Federal Water Pollution Control Act Amendments - 1972)
- Coastal Zone Management Act (1972)
- Endangered Species Act (1973)
- Trans-Alaska Pipeline Act (1973)
- Energy Supply and Environmental Coordination Act (1974)
- Resources Planning Act (1974)
- National Forest Management Act (1976)
- Federal Land Policy and Management Act (1976)
- Endangered American Wilderness Act (1978)
- Archaeological and Historical Data Conservation Act (1979)

The list does not include individual state laws which also affect any activity we may propose.

Whether large or small, all companies in the oil and gas industry go through elaborate geophysical, geological, economics, land, and risk analyses prior to consideration of any possible exploration and development program. The many steps in these analyses build in the environmental, permit, and reclamation factors. Environmental considerations are a major component in the analyses.

It is nonsense to envision our bulldozers poised on the wilderness boundary awaiting only the order to invade. The sheer volume of laws, regulations, and permit requirements makes such activity impossible even if we had any intention of doing it. Taking the risk in a frontier area means paying the costs and doing the special work associated with that risk. We have never shirked that responsibility; nor do we intend to try to avoid it in the future.

Intelligent exploration which results in either major or minor discoveries offers companies, managing agencies, and consumers a product which has a specific market value at the time of discovery and evaluation. When that occurs, intelligent decisions with consideration of appropriate tradeoffs can be made as to land allocation. Until that point we have only half the equation. Our critics claim wilderness value is incalculable. That's a nice thought, but the agencies charged with managing federal land must make that determination as a result of the very detailed planning system mandated by Congress in some of the laws already mentioned and the federal economic and national security factors existing at the time.

Under the Forest and Rangeland Renewable Resources Planning Act (RPA), for example, the present national forest wilderness studies will be followed within 5 to 15 years by another round of studies of the lands not previously designated as wilderness. Unlike RARE II which was designed as an expedited wilderness review, these studies will be conducted on a forest-by-forest basis, as part of the normal land management planning process. The release language adopted to date for several statewide forestland wilderness bills will not alter this. We also expect that many appeals will be filed by wilderness organizations where the planning process does not result in wilderness recommendation.

We believe the studies, protective laws, and planning are adequate to assure that released lands will not be "destroyed," and urge that you adopt permanent statutory release language for the nonwilderness lands. Such language should provide (1) that the lands should not remain in study or candidate status (de facto wilderness) longer than is reasonably necessary; (2) that land management programs should not be interrupted by new studies or legislative proposals to determine wilderness suitability; (3) the remaining studies by the administrative agencies and Congress must be concluded by a specific date; and (4) land found to be unsuitable for wilderness may be released from study status and returned to nonwilderness management.

In any legislation designed to ease the controversy, there must also be an acknowledgement that the RARE II Final Environmental Impact Statement is legally and factually sufficient. S. 2801 fails to resolve the serious questions raised by California v. Bergland, which held that the RARE II Final Environmental Statement was inadequate and that no California RARE II area could be returned to nonwilderness management until more detailed analyses have been completed until these questions are resolved, the legal status of many non-California lands recommended for nonwilderness management by the previous administration remains in doubt and subject to similar legal challenges.

In addition, the bill fails to define the length of time lands should remain in Wilderness study or candidate status and how many times lands are to be studied for possible designation as wilderness. Virtually all the land affected by this bill has been closed for wilderness study for at least five years; the majority has been under study since 1970 or 1972. Because S. 2801 imposes no deadline for completing this wilderness study process, many of these study lands will likely remain withdrawn for at least several more years. The fact that this bill's proponents have even opposed measures that would terminate the process in 1987 -- 17 years after it began -- suggests how long they expect the studies to last.

It has been suggested that withdrawal of wilderness study lands is warranted, because many million acres of federal land are already leased for oil and gas activities, and 80 percent of these leases will expire without being drilled. Thus, it is charged, the companies are not exploring the lands they have already leased and should do so before seeking additional leases. This argument is based on false premises and is highly misleading.

It erroneously equates exploration with drilling. Drilling is merely the final stage in a long exploration process. It assumes erroneously that failure to drill means failure to explore. In fact, the leases which are not drilled may look attractive initially, but preliminary assessment work (geologic mapping, magnetic and gravity work, seismic surveys) may indicate the prospect is not good enough to justify drilling. It ignores the fact that exploration is not a static process. Each discovery or dry hole causes a re-evaluation of the theories in which exploration programs are based. Land withdrawal prevents such re-evaluations and can easily mean the loss of valuable resources.

The inventories contemplated by S. 2801 provide only preliminary information and will not evaluate the areas to the extent necessary for informed decisions, or locate any deposits that may be present. Especially if seismic work is prohibited, this level of assessment is simply inadequate.

The same geological forces that made the lands attractive for wilderness made them highly prospective for energy and minerals. Consequently, there are many unavoidable land and resource conflicts. The purpose of wilderness study is to gather data adequate to insure that Congressional decisions will be informed and based on all the facts -- about subsurface, as well as surface resources.

S. 2801 seriously undermines the wilderness study process. It institutionalizes ignorance and uninformed land use planning. It prevents development of subsurface information and requires that decisions be based on data that is totally inadequate. Moreover, passage of this bill will guarantee that little will ever be known about the subsurface resources of the areas covered by the bill.

It seems to us, from the passage in the House of Representatives and the number of Senate sponsors, that Congress thinks it must ban oil and gas leasing from the lands covered by the bill. This is destructive public policy and will undermine American's ability to provide stable domestic energy supplies and national security for its citizens. Amoco Production Company cannot and will not support this philosophy. We strongly urge that you reconsider bringing such legislation to the floor for a vote, and if such should occur, that you and your colleagues greet its presentation with a resounding "no".

Senator WALLOP. Thank you very much. Senator Melcher, do you have questions?

Senator MELCHER. George, when you talk about exploration, really you are talking about covering thousands upon thousands of acres to determine whether or not it is worthwhile drilling the well, are you not?

Mr. DIBBLE. That is correct.

Senator MELCHER. So the greatest impact you would expect is first of all from the exploration process? If you are going to do exploration, you are going to want to do seismic testing, are you not?

Mr. DIBBLE. That is a portion of the exploration process, yes. It is a step in it.

Senator MELCHER. And if it looks good from the initial once-over, you are going to want a little more detail on seismic before you commit the company to \$10 million or 12 million wells, are you not?

Mr. DIBBLE. That is correct.

Senator MELCHER. You say you never really find out until you drill a well?

Mr. DIBBLE. That's absolutely right, and then you only know the diameter of the hole for sure.

Senator MELCHER. You are really not talking about getting a hundred miles into the Bob Marshall area: are you?

Mr. DIBBLE. I can't respond to that particular one because maybe some company does, but I think as a general rule you are correct, sir.

Senator MELCHER. So you are really talking about the fringes, are you not? You are really talking more about these further study areas, further planning areas, than anything else; are you not?

Mr. DIBBLE. Those are de facto wilderness right now.

Senator MELCHER. Answer the question, George. Are you talking mostly about the further planning areas or wilderness, already designated wilderness?

Mr. DIBBLE. I can't speak for all the companies.

Senator MELCHER. Just Husky.

Mr. DIBBLE. Yes; in fact, now speaking for our company in particular, yes; we have two areas. One is the Black Footed Ferret, but that is another question, but we also have interest in an area right adjacent to a wilderness area.

Senator MELCHER. Which one?

Mr. DIBBLE. Washakie.

Senator MELCHER. Well, isn't it practical, though, if you are not going to get in there and really make the right kind of exploration because the stipulations are such that you can't really make those explorations and you are not going to get a drilling permit except for slant drilling, isn't it better to invest the money somewhere else?

Mr. DIBBLE. Not necessarily; I think that determination, rather than being precluded by this bill, should be left in the hands of the land management agencies working in conjunction, of course, with the explorer.

As I expressed before, Senator, we have faith in the fact that the Forest Service, BLM, Minerals Management, DOI, certainly have

the best interests of the country at heart and are looking out after those interests.

I think there are others here who are better qualified to talk about the slant drilling technique. That is really a limited technique. That is not the panacea for drilling adjacent to wilderness areas. There are certain areas that have been classified as wilderness which would be very low impact from exploration. However, there are other areas classified as wilderness that could have a high impact if exploration were conducted. You just can't make a sweeping generalization such as 2801 does.

Senator MELCHER. Wouldn't it be better if we made the decision on whether or not it is going to be wilderness if you invested some money and to have some chances of getting through with it rather than being cut off at a certain point because slant drilling would be required, nonsurface occupancy would be required or something?

Mr. DIBBLE. I certainly agree with you. There needs to be a high degree of certainty in this process, that no one is going to make an investment on the basis of uncertainty.

Senator MELCHER. Thank you.

Senator WALLOP. Senator Warner?

Senator WARNER. Thank you, Mr. Chairman. Mr. Chairman, I respectfully disagree with several members of the panel who indicate this bill is driven by emotions.

I have been here 4 years working with Senator Jackson on the Armed Services Committee, and I know of no member of the U.S. Senate who is more conscious of the interrelationship between our national defense and energy independence than Senator Jackson, and he needs no one to defend his credentials in this area, but I, too, have been involved, for example, in the area of the minerals exploration. I will be introducing legislation this week to bring out the Defense Production Act so that the Department of Defense is required henceforth to allocate certain money to the establishment or reestablishment on the basis of production for minerals in this country, those strategic minerals, but I have found comments by Mr. Matthews very constructive on the Overthrust Belt, and I think it is incumbent upon this committee to determine whether or not should we say the sweeping effect of 2801 is to reduce substantially the exploration base in that bill.

Have you gotten down into specifics as to what might be removed in that area?

Mr. MATTHEWS. Well, Senator, Senator Warner, projecting how much oil and gas is going to be in a certain area, it is an exercise that I don't like to engage in. I think the fact that this vast amount of energy has been found in the large area that is about a third of a million acres, and we are talking about removing 37 million acres more, I can't tell you whether there is going to be that much oil and gas in that spot, in those acres or not, or whether there is going to be that many times more.

What I do know is that in very small areas of the Overthrust Belt, the large, large accumulations of oil and gas are found, and therefore you are never going to know unless we have seismic and drilling in these study areas.

Senator WALLOP. If I can expand Senator Warner's question, do you have any idea how many acres in the Overthrust Belt are withdrawn by—

Senator WARNER. 2,801.

Mr. MATTHEWS. I think the third panel I believe will have those numbers. I don't have the specifics.

Senator WARNER. We should ask the Forest Service and the Interior Department to make such a survey anyway.

Mr. MATTHEWS. I do know 4 percent of the Overthrust Belt at this time is in designated wilderness at the present time.

Senator WARNER. Thank you, Mr. Chairman.

Senator WALLOP. Senator Nickles?

Senator NICKLES. Just a couple of quick questions for the panelists—I am still wrestling with the question, I am amazed at the number of different estimates for the number of acres that I see this bill would affect, and I think maybe that leads to the confusion, that no one is really sure, but we have been told or at least I think the House used the figure 19.7 million acres would be taken out of production.

I think I heard Mr. Work—did you say 80 million?

Mr. WORK. We currently believe that 80 million acres are in designated wilderness, but as Mr. Dibble indicated, this also includes Alaska.

Senator NICKLES. Which does include Alaska; do you have a figure less Alaska?

Mr. WORK. I do not have a figure in my hand.

Mr. DIBBLE. Are you talking about the acres affected by this bill, Senator?

Senator NICKLES. Yes.

Mr. DIBBLE. Yes—some place around 36 million.

Senator NICKLES. I notice your testimony said 35.

Mr. DIBBLE. Thirty-five or thirty-six, however you round the numbers.

Senator NICKLES. It is still quite a bit of discrepancy between the 35 or 36 million acres and 19.7 million acres.

Mr. DIBBLE. 19.7, let's say 20, are those designated as wilderness. Then the difference is made up of congressional study and further study areas—and proposed areas. Excuse me.

Senator WALLOP. There are two different areas.

Senator NICKLES. Wilderness and then including—

Senator WALLOP. There is general agreement I think that the wilderness withdrawal in some form is an appropriate action for Congress to take, and then you are talking now the remaining lands, for further study lands and lands which may be affected by the California suite which is just a lot of acres, so I don't think we can speculate here, and yet there is, yet by implication if you do this with Forest and those BLM lands that are designated as wilderness, if you do that, in order to maintain consistency you have to do the same thing with BLM study areas which adds a significant number of acres.

There is one other inconsistency in this bill. It only relates to activity of oil and gas and soft minerals and does not go into the area of hard rock minerals, and if there is to be consistency in that, surely the impact of hard rock minerals on wilderness areas, hard

rock mineral production on wilderness areas, is going to be substantially greater than it is, than the other things that are withdrawn, but they are not covered, the hard rock minerals.

I want to make that clear in this bill. There are broad implications that this takes place for those with less impact if we don't ultimately have them take place for those with more impact.

Senator NICKLES. Did I possibly mishear Senator Jackson? I thought he said this bill only affected oil and gas as a last statement?

Senator WALLOP. No.

Senator NICKLES. I am aware it doesn't.

Senator WALLOP. Oil and gas and phosphate and sulfur and geothermal leasing and gilsonite, potassium.

Senator NICKLES. I see the list is on the bill, but I am thinking I heard him say that.

Senator WALLOP. No. It does more than oil and gas, but it does not do hard rock minerals.

Senator NICKLES. Mr. Matthews, you mentioned as far as exploration techniques, that industry has devised them now that are environmentally I guess sound and safe or aren't damaging to the environment.

I am familiar with these vibra-sized trucks that have almost nil or no impact. Are those useful or could be used?

Mr. MATTHEWS. Not in a roadless area; you have to have roads in order to drive them.

The other two techniques that I see as being feasible in these areas would be above-ground surface explosion techniques and using the portable drills to put the dynamite underground.

My recommendation is that the underground portable drill technique is one that can be used in these areas with a minimal impact.

Senator NICKLES. You also mentioned I guess your preference for private assessment of minerals which would be prohibited under this, and I believe the bill would provide for what, BLM to make, would be making that assessment? You are saying private industry should be making that assessment?

Mr. MATTHEWS. Yes, Senator. I have some very personal close friends in both the USGS and the BLM, and I have a great respect for their geological expertise, but the kind of techniques that have been developed by industry in this complex area of the Overthrust Belt simply is not the sort of thing that these agencies have been used to using, and they have not had the expertise of 5 to 10 years of exploration in the Overthrust Belt. I just don't think the technical expertise is there to do it.

Senator NICKLES. Plus the quality of assessment?

Mr. MATTHEWS. Yes. As a taxpayer I would rather see the money being spent by industry than by our Government.

Mr. DIBBLE. May I respond to that last question? Senator, our company served as a contractor for the U.S. Department of the Interior in exploring the national petroleum reserve in Alaska. We spent—I don't know what it is now—approximately close to \$700 million of taxpayers' money and we think we did it in a reasonable manner, but we were only able to put down about one well every

million acres, and over a period of a number of years, and that really is not a good mineral assessment of that area.

When you have private industry do it, No. 1, taxpayers are not footing the bill; No. 2, they can do it in an environmentally sound manner; and No. 3, you get a multiple viewpoint on it. You also get a multiple discipline, and it is just like anybody else. No one always agrees where the best prospect is, least of all geologists, and this way you get a cross-check, and it is much more efficient and better mineral exploration.

Senator NICKLES. Thank you.

Senator WALLOP. Thank you very much, all very much. We appreciate the time. We have still not got permission to sit, and we will submit questions.

The next panel is Mr. William Turnage, executive director of the Wilderness Society, Russell Peterson, president of the National Audubon Society; Karen Sheldon, staff attorney for the Sierra Club Legal Defense Fund; J. Michael McCloskey, executive director of the Sierra Club, accompanied by Mr. Tim Mahoney, Washington Representative.

Mr. Turnage?

STATEMENT OF WILLIAM A. TURNAGE, EXECUTIVE DIRECTOR, THE WILDERNESS SOCIETY

Mr. TURNAGE. Mr. Chairman, I am William Turnage, executive director of the Wilderness Society.

The Wilderness Society is a nonprofit conservation organization founded in 1935. Our expertise is the appropriate management of the public lands and the preservation of wilderness.

Let me state at the outset that we strongly support S. 2801, legislation which Congress must pass now in order to protect the integrity of our last remaining wild lands from the ravages of mineral exploration and development. We view this legislation as the most important public lands conservation bill of this Congress. An identical measure passed the House by a decisive 6-to-1 margin, 340 to 58.

Unless the Senate approves this legislation before Congress adjourns, nearly half of the Nation's wilderness areas could be opened to oil and gas leasing and development in a matter of months. If the Senate fails to act or fatally cripples the bill with amendments, Interior Secretary James Watt will have a free hand to make good his threat to start leasing the Nation's wilderness.

The Wilderness Society has just completed a comprehensive study revealing the Forest Service's timetable for possible wilderness leasing. It shows that 171 wilderness and potential wilderness areas in 24 States could be leased starting as early as January 1983, including areas near California's spectacular Big Sur Coast, near Yellowstone National Park, and within the legendary crown jewel of the wilderness system, Montana's Bob Marshall Wilderness.

Our study involved contacting each regional office of the Forest Service and determining how quickly applications for leasing in wilderness areas are being processed. Once applications are fully processed, recommended leases can be signed at the discretion of

the Secretary of the Interior Watt. Despite the current moratorium on wilderness leasing agreed to this year by Mr. Watt at the prodding of Congress, the Forest Service generally has been processing applications and preparing recommendations on leasing.

According to the Forest Service's timetable, 43 wilderness areas will be ready for leasing in the first 3 months of next year, 84 by September, and a total of 171 by the end of the year. Included in the 171 areas are 69 congressionally mandated wilderness areas, nearly half of the 144 national forest wildernesses in the lower 48 States, with the remainder being lands that are recommended for wilderness designation or under study as candidates for wilderness designation. Therefore, Mr. Chairman, this legislation is urgently needed.

Opponents charge that the bill would lock up wilderness lands from needed energy development. In actual fact, the Senate bill contains a provision that would allow the President to open wilderness to energy development subject to the congressional approval, in the event of a national emergency. Moreover, the Wilderness Act of 1964 itself allows for continuing surveys and studies to measure the energy potential of wilderness areas so long as their wilderness characteristics are not damaged or destroyed. The pending Senate bill further promotes mineral inventory activities that would not destroy wilderness.

Wilderness areas do not hold the answer to the Nation's energy needs. They constitute only 1.2 percent of the total land base in the lower 48, and contain only a negligible amount of the Nation's estimated supply of oil and gas. They ought to be the last lands to be developed, not the first.

An authoritative study done this year by Leonard Fischman, one of the Nation's foremost natural resource economists, indicated that wilderness contains only about 1 percent of America's potentially producible onshore oil and gas. These findings were corroborated at a congressional hearing by a similar study conducted for the U.S. Department of Energy by the Oak Ridge National Laboratory.

Furthermore, this bill would withdraw only 33 million acres of wilderness and wilderness candidate areas. BLM has already leased 30 million acres this fiscal year and expects to lease an additional 5 million acres by the end of the fiscal year. This will bring to more than 150 million the total number of acres of Federal land already under lease and largely unexplored.

Mr. Chairman, this bill must not be gutted with amendments. It is already a compromise. To our chagrin, it does not withdraw BLM wilderness study areas and lands in Alaska, nor does it address potentially damaging hard rock mining development. Nonetheless, it is a minimally acceptable bill and we urge its passage as is.

We are particularly opposed to any attempt to put a hard release amendment on the bill. Hard release is Mr. Watt's approach to wilderness—what we have now, and no more. Hard release would stop Federal agencies from studying lands for possible inclusion in the wilderness system and usurp the rights of Congress to determine whether or not lands should be protected and preserved as wilderness. Under hard release, after an arbitrary and rigid deadline, all

Forest Service lands that have been recommended to Congress for wilderness designation or are presently being studied as candidates for wilderness preservation would be opened immediately for development. That would be a tragedy, for once the wilderness values of these pristine lands are lost, they can never be recovered.

Mr. Chairman, the American people have spoken. They have spoken every time these lease applications have surfaced for wilderness areas—the Washakie Wilderness in Wyoming, the Caney Creek Wilderness in Arkansas, the Ventana Wilderness in California, the Capitan Wilderness in New Mexico. They have spoken as more than 500 witnesses in nine hearings held by the House Interior Committee across the country. They have spoken in the overwhelming bipartisan vote in the House in favor of identical legislation. They have spoken with one voice—do not despoil our last remaining wilderness areas in a damaging search for an inadequate amount of oil.

The House has done its part. Now it is time for the Senate to act. We ask you to move swiftly to protect America's last wild lands.

Thank you.

Senator WALLOP. Russell Peterson?

STATEMENT OF RUSSELL W. PETERSON, PRESIDENT, NATIONAL AUDUBON SOCIETY

Mr. R. PETERSON. Mr. Chairman, members of the committee, I respectfully request that you enter my prepared remarks in the record and I will just make a few comments.

I am Russ Peterson, President of the National Audubon Society, here speaking on behalf of our nearly 1½ million members.

I strongly believe that our small remaining wilderness deserves maximum protection. It is my view, Mr. Chairman, that this concern corresponds with the growing public sentiment as well. We will be doing both present and future generations a great disservice if we fail to adequately safeguard what is left of our wilderness areas.

Legislative safeguards of the sort proposed in Senate bill 2801 are essential if the original intent of Congress in enacting the 1964 Wilderness Act is not to be reversed. Were it not for Secretary Watt's radical departure from policy established over the previous 16 years, this legislation would be unnecessary. The wilderness protection bill is a modest and reasonable response to his attempts to dissolve what remains of our wilderness resources.

Like its statutory predecessor, the 1964 Wilderness Act, it is a compromise. Although we support Senate bill 2801, here are three items we would have liked to have included.

First, the bill does not extend protection to BLM wilderness study areas, some 24 million acres under the Bureau of Land Management jurisdiction. This is canyon and plateau and desert country that I am talking about which is every bit as important a part of our natural heritage and deserving of protection as the rugged mountain and forest country that we usually associate with wilderness protection.

Senate bill No. 2801 does not address the need for protection of wilderness lands for new hard rock mineral activity. This, too, is a regrettable omission.

A third significant compromise is Senate bill 2801 prevents seismic exploration activities for oil and gas only in designated wilderness areas. It does not prohibit seismic exploration in wilderness candidate areas even though seismic blasting causes well-documented long-lasting damage to a fragile wilderness ecosystem.

It is a big concern to National Audubon that despite the compromises of Senate bill 2801, there continues to be strong interest in drastically changing the fundamental principles of this legislation with the addition of release language, language that would effectively torpedo all proposals for future additions to our wilderness system, now and forevermore.

I urge the committee to reject any such language in Senate bill 2801.

Secretary Watt stated his objective is to open up wilderness and proposed wilderness areas to oil and gas leases so as to provide us with adequate energy security. The National Audubon Society finds no justification for this. Analysis by our scientific staff of the energy situation in the United States indicates that by investing substantially in energy efficiency measures and in such alternate sources of energy as wind, hydropower, biomass, photovoltaics and passive solar, our Nation can reduce its need for oil by 30 percent by the year 2000. Following this safe economic course would more than obviate the need for that 4.4 percent of the Nation's oil that may lie within wilderness and wilderness candidate areas. I ask you even if that small amount of our potential oil is there, what is wrong with leaving it in the bank for future generations to consider? Do we have to squander every drop of our oil in our lifetime?

The few remaining wilderness areas are a part of our great national heritage. We need to safeguard these unique areas so future generations will have the opportunity to explore this Nation's earlier wilderness or just have the satisfaction of knowing some of wild America is still there.

I urge the Senate to pass Senate bill 2801 in its present form before the 97th Congress adjourns.

Thank you.

[The prepared statement of Mr. R. Peterson follows:]

STATEMENT OF RUSSELL W. PETERSON
PRESIDENT, NATIONAL AUDUBON SOCIETY

BEFORE THE SENATE SUBCOMMITTEE ON PUBLIC LANDS
AND RESERVED WATER HEARINGS ON S.2801,
THE WILDERNESS PROTECTION ACT OF 1982

SEPTEMBER 23, 1982

Mr. Chairman and Members of the Committee:

The Wilderness Protection Bill, S. 2801, under consideration here today, is an important and much needed piece of legislation. It is no exaggeration to say that the integrity of our nation's wilderness system is at stake if measures are not taken to prevent unwise and unnecessary energy and mineral development activities from proceeding in wilderness areas.

Safeguarding the nation's remaining wilderness is fundamental to wise natural resource use and conservation and is, therefore, of immense concern to the National Audubon Society. Watershed, water quality, wildlife habitat, recreation and other economically important values are protected by wilderness designation. Our nearly half a million members have become increasingly involved year-by-year in efforts throughout the country to protect wilderness areas of concern to them. There is clearly a strong sentiment among our membership that wilderness values, whether they be close to home or across the continent, deserve the maximum possible protection. It is my firm belief, Mr. Chairman, that this concern corresponds with a growing public sentiment as well. We will be

doing both present and future generations a great disservice if we fail adequately to safeguard our dwindling wilderness resources.

The wilderness bill before this committee, S. 2801, would take some necessary steps in this regard. S. 2801 is a direct response to a threat to our National Wilderness Preservation System which is both specific and immediate in nature -- the leasing of oil and gas in designated areas of the system. It is a response to major reversals by the Administration of longstanding federal management policy. In our view these changes in mineral leasing policy are both short-sighted and wrong. They reflect, in fact, a misinterpretation of existing law. S. 2801 does no more than make clear the original intent of Congress to preserve wilderness areas.

The Wilderness Act was born twenty years ago of laborious compromise. It provided for flexibility and agency discretion in implementation of resource management policies. It was based on a premise that federal resource management programs could be expected to reflect balance and professionalism. In our judgement the present Administration is failing to adhere to the sound resource policies essential to assure wise use of and protection for the nation's wilderness system.

Were it not for Secretary Watt's announcement of unprecedented policy changes regarding energy leasing in wilderness areas, this legislation would be unnecessary. The groundwork was laid for Interior Department initiatives on this issue by the Heritage Foundation in their transition period report "Mandate for Leadership" in which mineral exploration was recommended as a "dominant use" of the public lands, including wilderness areas. Early on in his tenure Secretary Watt issued a directive that a

way be found to "open wilderness areas" to mineral activity (May, 1981). In September of 1981 two oil leases were issued by the Bureau of Land Management for the Capitan Wilderness in New Mexico. Other wilderness and wilderness candidate areas such as the Washakie in Wyoming, the Ventana in California, and Alpine Lakes in Washington were proposed for leasing. Last October the Department of the Interior took the position that the Secretary could not "decline to issue mineral leases or permits solely on the basis of a desire to protect the wilderness character of a particular area" (DOI Solicitor's Opinion). Recently oil leases were again issued, this time in the Wambaw Creek Wilderness in South Carolina, despite the fact that Secretary Watt's supposed moratorium on mineral leasing in wilderness is still in place until at least after the November elections. The policy of restraint on development activities in wilderness areas which has been adhered to by Republican and Democratic administrations alike during the last two decades has been abruptly discarded.

In light of these actions, Congress should not fail to act. The Wilderness Protection Bill is a modest and reasonable response. Like its statutory predecessor, the 1964 Wilderness Act, it is the result of compromise, several of which were made by conservationists.

For instance, the Bureau of Land Management wilderness study areas, some 24 million acres presently under consideration for wilderness designation, need to be protected from new and accelerated mineral leasing programs. In fact, many of these predominantly semi-arid desert and grassland areas are so ecologically sensitive that the impacts resulting from exploratory activities for oil and gas and hardrock minerals are

particularly significant. It is unfortunate that S. 2801 does not extend its protection to areas under Bureau of Land Management jurisdiction. The canyon and plateau and desert country of the Southwest and the West is as important a part of our natural heritage as our rugged mountain and forest country, and equally deserving of protection.

The Wilderness Protection Bill does not address the need for protection of wilderness lands from new hardrock mineral activity. Again, this is a regrettable omission. The mineral industry argues that the United States suffers from an overly zealous "lock-up" of the hardrock mineral resources on our public lands. The statistics suggest to us a different story. Contrary to the picture painted by the American Mining Congress that three-fourths of the public lands are "effectively off limits" to hardrock mineral activity (J. Allen Overton, American Mining Congress Journal, October, 1981), a study released by the National Audubon Society and five other organizations last year (Minerals and the Public Lands: An Analysis of Strategic Minerals Issues and Public Lands Policy, October, 1981) identified, at the outside, 25 percent of the nation's federal lands as closed to mineral activity for environmental reasons. Ten percent of that withdrawn federal land is, by the way, within the National Park System where the advisability of resource protection is seldom disputed. The approximately 5.7 percent of the federal lands in the lower 48 states which have been designated as a part of the National Wilderness Preservation System clearly comprise a small portion of the nation's potential mineral resource base. It is not unreasonable to

suggest that it should be national policy to make the wilderness system the last place to explore for both hardrock and energy minerals, rather than the first.

A third significant compromise is struck in S. 2801. The bill limits seismic exploration activities for oil and gas in designated wilderness areas; it does not, however, preclude seismic exploration in wilderness candidate areas. The documented damage resulting from seismic activity goes beyond the relatively short-lived noise and disruption which accompany the seismic crews themselves. Seismic explosions also result in vegetation, hydrologic and surface damage. Road construction where necessary can result in major damage to wilderness values. Forest fires caused by the use of explosives or resulting from helicopter crashes are not uncommon in conjunction with seismic survey work. To subject areas under consideration for wilderness designation to seismic blasting, and often to multiple surveys as competing oil companies collect data, seems to us ill-advised and unnecessary.

I bring these three issues to the committee's attention, because it is critical, I think, to put this version of wilderness protection legislation in the context of threats which do, indeed, exist today. Prior legislative initiatives during this Congress have laid out the parameters for the mineral leasing debate. An extensive series of hearings has been held around the country by the House Interior and Insular Affairs Committee. S. 2801 and its companion bill, H.R. 6542, passed so overwhelmingly by the House last month, are the result of extensive Congressional deliberation and compromise.

It is of great concern to National Audubon that, despite the compromise nature of S. 2801, there continues to be strong interest in drastically changing the fundamental principles of this legislation with addition of "release" language. We strongly advocate an orderly process of Congressional review and designation of additions to the wilderness system on a state-by-state basis. It is only logical that the "release" issue be handled on a state-by-state basis in conjunction with the wilderness designation process. The debate on "release" has been a long and complicated one and certainly is not directly related to the matter of mineral leasing. Inclusion of any sort of "release" language in S. 2801 would thoroughly undermine its intent, and I must urge the committee to reject any such language.

The scope of S. 2801 is deliberately narrow because Secretary Watt has made clear his particular intention to issue oil and gas leases aggressively for wilderness and proposed wilderness areas. The National Audubon Society can find no justification for such actions. Our in-depth analysis of the energy situation in the United States indicates that by investing substantially in energy efficiency measures and alternate sources of energy such as wind, hydropower and passive solar, our nation could reduce its need for oil by 30 percent by the year 2000 (Dr. Jan Beyea, et al, The Audubon Energy Plan, 1981). Undertaking such steps would more than obviate the need for what oil resources may lie beneath the nation's remaining wild areas if the estimates, based on the best available information, that 4.4 percent of the nation's oil resources may lie within wilderness and wilderness candidate areas are correct (Economic Associates, 1981).

The legislation before this committee today does not pretend to be an omnibus wilderness protection bill. It would, however, preclude needless destruction of wilderness resources which would result from the level of mineral leasing activity which Secretary Watt has indicated that he intends to pursue. In that light, it is very important legislation, and I urge the Senate to move expeditiously to enact it in its present form before the 97th Congress adjourns.

Thank you.

Senator WALLOP. Thank you.
Ms. Sheldon?

**STATEMENT OF KAREN P. SHELDON, STAFF ATTORNEY, ROCKY
MOUNTAIN OFFICE, SIERRA CLUB LEGAL DEFENSE FUND**

Ms. SHELDON. Thank you, Mr. Chairman. My name is Karen Sheldon. I am a staff attorney with the Rocky Mountain Office of the Sierra Club Legal Defense Fund.

Senator WALLOP. Could you get right up there?

Ms. SHELDON. I'll shout. As a lawyer, I'm used to shouting.

It's a pleasure and a privilege for me to appear before you to support Senate bill 2801, the Wilderness Protection Act of 1982.

In my view, this is the most significant piece of legislation for the protection and preservation of our national wilderness resources since the Wilderness Act of 1964. This bill comes at a particularly critical time. Without it, quite simply, wilderness areas and wilderness candidate areas cannot be protected from the impact of mineral exploration and development activities which are carried out pursuant to the leases granted by this administration's Department of the Interior.

I know this is the case because I and my public interest law firm have spent the last 2 years totally immersed in litigation regarding leasing of wilderness and wilderness candidate areas. In these 2 years the Sierra Club Legal Defense Fund alone on behalf of the Sierra Club Wilderness Society and other environmental groups, has been involved in 10, at least 10 major legal actions, including the Cabinet Mountains controversy and the Bob Marshall controversy which prompted the initiation of this legislation in the House of Representatives.

Most of our controversies have involved oil and gas, although we have been dealing with geothermal leasing as well. Given this experience, I listened with extreme interest and amazement to the remarks of the industry and administration witnesses this morning that Senate bill 2801 is not necessary because the Department of the Interior and the industry are able to and intend to control the impact of oil and gas leasing and exploration and development in wilderness and wilderness candidate lands.

In my experience, this is simply not so. I will confine my oral remarks to the three points that reflect the current legal and regulatory situations and provided extended remarks for the record.

What we have seen in these 10 legal actions in the last 2 years is an abdication by this administration of any kind of rational process for making leasing decisions. This administration, compelled by a determination to open up wilderness and wilderness candidate lands to mineral development, has embarked on a program of blanket leasing of these areas without adequate analysis of the environmental consequences to the general environment and to the wilderness quality of these areas at the time that the leasing decisions are made. Environmental impact statements are not being done on leasing decisions. The Forest Service has in fact refused to prepare such impact statements.

Environmental assessments are being prepared, although there are now proposed regulations which would do away with environmental assessments on the decision to lease lands.

In one particular piece of litigation we engaged in the Department took the position that leasing is a paper transaction, that full control is retained by the Department of the Interior until drilling is proposed, and at that time the consequences to the environment of the drilling proposal can be assessed. When we challenged the approval of leasing without an environmental impact statement, that was the position that the Department relied upon.

In another piece of litigation when we challenged the approval of drilling, the Department took the position that rights to drill were vested with the issuance of a lease and that it was too late for us to raise the issues about controlling of the impact of drilling on the environment.

What we have, in other words, is a catch-22 of rather major proportions. The problem is that this catch-22 is reflected in the state of the law at this time. Conflict in the court exists as to the nature of the lease, the extent of lease rights which are granted to lessees. It has not yet been resolved whether a lease vests in the lessee the right, inviolable right to drill, to explore and develop for oil and gas, or whether a lease is a contract, a bargain between the Federal Government and the lessee in which the lessee can knowingly agree to stipulations and restrictions which may mean he is not able to conduct exploration and development. As long as this fundamental issue is unresolved, wilderness and wilderness candidate areas are vulnerable because it may well be that when leases are issued down the line drilling may not be able to be adequately controlled or stopped.

The second point I would like to make very briefly is that the administration witnesses and industry have emphasized that stipulations will be attached to leases which will protect the environment. Of particular importance has been this no surface occupancy stipulation which prohibits use and occupancy of the surface.

At this point the enforceability of that stipulation is very problematic. We have a district court opinion which holds that a lease without developmental rights is a shell lease, that stipulations which would impair or prevent lessees from exploring and developing their leaseholds would not be allowed to stand.

We also have a district court opinion directly opposite to that which does uphold the enforceability of stipulations. It may well be that at the critical time when exploration and development activities are proceeding that the no surface occupancy stipulation will be found to be unenforceable and areas which require that protection will not have it.

Even if we assume that this stipulation is enforceable, it can be waived, and it can be waived at a later time when we are not aware that this is going on.

Finally, very briefly, the bill as it is presently drafted includes wilderness candidate lands in addition to designated wilderness areas. It has been suggested that these be dropped. On behalf of the environmental groups that I represent, we oppose deleting the wilderness candidate lands, particularly the further planning areas. It is essential that these lands be protected until decisions can be made about their further status.

These lands are currently being leased and we will be in a situation unless this bill passes through the barn door while we contemplate whether or not we should let the horse out.

I thank you very much.

[The prepared statement of Ms. Sheldon follows:]

Statement of Karin P. Sheldon,
Sierra Club Legal Defense Fund, Inc.
Concerning S.2801, The Wilderness Protection Act,
Before the Committee on Energy and Natural Resources
of the United States Senate
September 23, 1982

Mr. Chairman, Members of the Committee, my name is Karin Sheldon. I am a staff attorney with the Rocky Mountain Office of the Sierra Club Legal Defense Fund. It is a pleasure and a privilege for me to appear before you to support S.2801, the Wilderness Protection Act of 1982, the most significant piece of legislation for the protection and preservation of our national wilderness resource since the Wilderness Act of 1964. S.2801 comes at a critical time. Without it, quite simply, Wilderness areas and Wilderness candidate areas cannot be protected from the impacts of mineral exploration and development activities carried out pursuant to leases granted by the Department of the Interior.

I know this is the case because the Sierra Club Legal Defense Fund has spent the last two years immersed in litigation regarding leasing of Wilderness and Wilderness candidate areas. In these two years the Sierra Club Legal Defense Fund alone, on behalf of the Sierra Club, Wilderness Society, National Wildlife Federation and other groups, has been involved in 10 major legal actions, including the Capitan Mountains and Bob Marshall controversies which prompted the initiation of this legislation in the House of Representatives.

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Most of these matters have involved oil and gas, although we have dealt with geothermal leasing issues as well.

We have had two goals in these legal actions. One goal has been to halt leasing or exploration and development activities because of the impacts of such activities on the environment and the wilderness qualities of the areas at issue. The other goal has been to clarify the nature and extent of the authority and commitment of the Forest Service and the Department of the Interior to control mineral extraction activities on these special public lands to protect their irreplaceable natural environments.

Given this effort, I listened with amazement to the remarks of the Administration and the industry that S.2801 is not necessary because the Forest Service and the Department of the Interior are able, and intend to control mineral leasing exploration and development activities in Wilderness and Wilderness candidate areas. In our experience, this is simply not so.

I will confine my remarks to three points which reflect the current legal and regulatory situation.

1. We have seen an abdication by the Forest Service and the Department of the Interior of a rational process for making leasing decisions. This Administration, compelled by a determination to open Wilderness and Wilderness candidate areas to mineral development, has embarked on a program of blanket leasing without adequate analysis of the consequences to the

environment or to the wilderness qualities of the areas leased. Environmental impact statements are not being prepared to support leasing decisions, although the effects of exploration and development may significantly damage surface resources and wilderness attributes. While the Forest Service has conducted environmental assessments for its lease recommendations, recently proposed regulatory changes would eliminate even this minimal compliance with the National Environmental Policy Act at the lease issuance stage. The aim of the Administration's management program for the public lands, including Wilderness and Wilderness candidate areas, is to lease now and worry about the consequences later.

When the Sierra Club Legal Defense Fund challenged in court leasing decisions made without environmental impact statements, the Forest Service and the Department of the Interior took the position that leasing is a paper transaction, with full control of the surface remaining in the federal government until a specific drilling proposal is made by a lessee.

When we challenged the approval of a drilling proposal, the federal agencies' position was that inviolable rights to explore and develop minerals vest with the issuance of a lease.

This Catch 22 may aid the Administration's apparent plan to play both ends against the middle when opposing the efforts of environmental groups to halt mineral leasing and exploration and development activities on the public lands, but it has

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resulted in a confused and contradictory legal situation. At present, for example, there is a conflict in the courts over the nature of a lease, and the extent to which development rights vest when a lease is issued. One district court has ruled that a lease grants a lessee exploration and development rights which cannot be impaired or taken once a lease is issued. Another district court has held that a lease is a contract and a lessee may knowingly agree to terms which restrict or even prohibit exploration and development.

There has been no final determination of the extent of the Department of the Interior's authority to regulate activities carried out pursuant to leases, or even of the question of the nature of a lease. As long as these fundamental issues are unresolved and leasing continues, Wilderness and Wilderness candidate areas are vulnerable. It may not be legally possible to provide the protection necessary to prevent damage to the wilderness resources of these lands. Only by withdrawing these lands from leasing, as provided in S.2801, will such protection be assured.

2. Administration and industry witnesses have emphasized that leases of Wilderness and Wilderness candidate areas will include special stipulations to protect the environment, particularly a stipulation prohibiting the use and occupancy of the surface of the leasehold. This is the so-called No Surface Occupancy or NSO stipulation, a magic charm which, it is claimed, serves to retain control of the surface of the

public lands in the Department of the Interior even though a lease is issued.

The enforceability of this stipulation remains entirely problematic. There is a division of opinion among the courts as to whether a stipulation which interferes with, and indeed may prevent beneficial use of a leasehold is valid, even if it is accepted by a lessee.

The enforceability of the NSO stipulation has not been specifically tested in court. Its use as a protective mechanism for large pieces of land is, however, very new. The traditional use of the NSO stipulation was for small areas, with specific justification, and where directional drilling from the outside was possible. This is reflected in the Forest Service's regulations on the NSO stipulation, and in numerous decisions of the Department of the Interior's Board of Land Appeals which have held that such a stipulation must not deprive a lessee of his basic lease rights.

In our legal actions we have found that, rather than make a decision not to lease, the Forest Service and the Department of the Interior is attaching the NSO stipulation to vast areas where directional drilling will be impossible.

The test of the enforceability of the NSO stipulation will come in the future. Should the stipulation be found illegal or unenforceable, the lands to which it was attached will be left without the protection they need.

Even if we assume that the NSO stipulation is enforceable, it is not being applied to all Wilderness and Wilderness candidate leases. Contrary to the inferences of the Administration and industry, a significant percentage of leases do not contain the NSO stipulation. For example, 75% of the Mt. Evans Wilderness of the Pike-St. Isabel National Forest of my state of Colorado has been recommended for leasing, 21% with surface occupancy permitted. Mt. Evans is the most prominent peak on the Denver skyline and the Wilderness hosts Colorado's only mountain goat herd. 32% of the San Juan National Forest's Weminuche Wilderness, Colorado's largest Wilderness area, has been recommended for leasing, 13% of it with surface occupancy permitted. And the list goes on.

In our experience, areas leased without the No Surface Occupancy stipulation are often islands surrounded by a sea of No Surface Occupancy leaseholds. Access to these leaseholds, which is guaranteed by the leases, is impossible without traversing the NSO leaseholds. The net effect of this leasing pattern is to destroy the natural integrity of large areas and to impair their Wilderness suitability. It may matter little if one portion of a Wilderness or Wilderness candidate area is protected by the NSO stipulation if surface disturbing activities are permitted on the next leasehold.

It must also be remembered that no stipulation is cast in stone. Stipulations are waivable at the discretion of the Department of the Interior and with the consent of the lessee.

The NSO stipulation is the most restrictive. Its waiver will result in substantially diminished protection for the environment and Wilderness values of an area.

It should be clear that we cannot count on stipulations to protect Wilderness and Wilderness candidate lands. Just as they do not substitute for a genuine and rational process for making leasing decisions, stipulations cannot obviate the need for S.2801.

3. S.2801 withdraws a variety of Wilderness candidate lands in addition to designated Wilderness areas. Among the most significant of these are the Forest Service's RARE II Further Planning Areas. It has been suggested that these lands be dropped from the bill. In our view, it is essential that the Act's protection extend to Further Planning Areas. The lands were recognized by the Forest Service as possessing Wilderness qualities. They all meet the criteria for Wilderness designation set forth in the Wilderness Act of 1964, although no final decision has been made as to their status. These lands are not subject to Secretary Watt's moratorium and are rapidly being leased.

The industry claims leasing of Further Planning Areas is necessary to determine what resources are present in the lands. The Administration contends that it is only permitting limited and controlled leasing to obtain resource information necessary to a final Wilderness/non-Wilderness recommendation. It sounds logical. The fact is, however, that leasing is not

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limited and controlled. To the contrary, entire Further Planning Areas are being leased. For example, every unleased square inch of the Palisades and Deep Creek Further Planning Areas were leased, without environmental impact statements. Senator Stafford noted this morning in his testimony supporting S.2801 that all six of the RARE II roadless areas of Vermont's Green Mountain National Forest, including the two designated for Further Planning, have been recommended for leasing. Indeed, all of the federally owned land in the Green Mountain National Forest has been recommended for leasing, except for a small Wilderness area.

A lease is a legal relationship. It conveys certain rights, however restricted. The Administration's leasing program is legally committing Further Planning Areas to some irreducible amount of damage from mineral exploration and development. This is being done before the planning process can be completed and an objective decision made about the future classification of these lands. The Administration's approach opens the barn door and leaves for later a decision about whether the horse should be allowed to escape.

In conclusion, without S.2801, the Wilderness Protection Act of 1982, decisions will be made in the next year which will create rights to explore and develop minerals in Wilderness areas which will extend well beyond the time in which the Wilderness Act contemplated such activities would cease. Decisions will also be made which will impair or destroy the

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Wilderness qualities of a host of Wilderness candidate areas, perhaps rendering them unsuitable as additions to the National Wilderness Protection System. Without S.2801, there is a danger that the policies of the Administration will irreparably damage the very small portion of federal lands which are protected as Wilderness and at the same time make it impossible to expand the system in the future. That result would be devastating, not only to environmental groups, but to the American people as a whole.

Senator WALLOP. Thank you, Ms. Sheldon.
Mr. McCloskey?

**STATEMENT OF MICHAEL McCLOSKEY, EXECUTIVE DIRECTOR,
SIERRA CLUB, ACCOMPANIED BY TIM MAHONEY, WASHINGTON
REPRESENTATIVE**

Mr. McCLOSKEY. Mr. Chairman, My name is Michael McCloskey. I am the executive director of the Sierra Club, a nationwide environmental organization of over 300,000 members.

I am particularly pleased to appear here today on behalf of the club to express our strong support for S. 2801 and for the House-passed measure, H.R. 6542.

Given the club's 90 years of involvement in wilderness protection, you will not be surprised to know that this remains among our highest priority. No issue before the 97th Congress in the brief remaining time of this session is of greater concern or has aroused greater interest among our members, and more concern and interest among the public, too. We want to do everything we can to assist this committee in moving this legislation forward in its present form. Let me summarize the club's position on the principal issues before the committee.

The Sierra Club strongly supports the bill as introduced, and we want to express our deep appreciation to all of the Senators of both sides of the aisle, including the ones on this committee, who have joined in cosponsoring the bill.

We are especially grateful to Senator Jackson for his continuing leadership on this and other public land issues, and we want to thank Senator McClure and Senator Wallop for holding this hearing.

This bill and the identical House-passed bill include some provisions which the Sierra Club can only support because they are embodied within the bill which is so clear and definitive as a solution to the immediate threat of leasing within wilderness areas and wilderness candidate lands.

In the House we vigorously opposed further amendments to the bill, specifically amendments to permit seismic exploration within

wilderness lands and amendments embodying any of the proliferating variations on so-called release language. We oppose any such amendments in this committee or on the Senate floor. We have been able to support this bill in its existing form because it balances new provisions dealing with mineral inventory activities in wilderness lands with a permanent withdrawal of such lands from the present threat of leasing. Addition of such weakening amendments would make it impossible for the Sierra Club to support the bill. We would have no choice but to vigorously oppose the bill as a whole.

Our opposition to further major amendment of the bill is reinforced by our disappointment that this legislation does not address leasing threats to wilderness study areas administered by the Bureau of Land Management, or the continuing threat represented by the application of the archaic 1872 mining law to hard rock minerals within wilderness lands.

The Sierra Club has worked diligently and in good faith to help develop and to see adopted a reasonable compromise to the so-called release issue involving certain categories of national forest roadless lands. We were supportive in 1980 when this committee accepted the compromise sufficiency language which we helped negotiate on the House side. We regret that our partners in that negotiation representing the timber industry have chosen to abandon their commitment to that compromise.

We oppose any revision of the basic standard sufficiency language formula which this committee and the Senate found acceptable in 1980 in three major statewide wilderness bills. This is a matter of the highest importance to us.

Mr. Chairman, let me say a few more words about the release issue. This issue is wholly unrelated to the purpose and content of S. 2801. While some interests may think it worthwhile to hitch some release language to this bill as the quid pro quo for the leasing withdrawal, I want to stress that we cannot support any bill including such language. In fact, if faced with such circumstance, we would search for other means to protect wilderness areas from leasing until they are automatically withdrawn on December 31, 1983, under the Wilderness Act. We are prepared to use such legal means and take such legal steps lacking such a bill as may prove feasible if leases are actually issued in any wilderness area, and furthermore, as this committee knows, language which has much the same effect as this withdrawal has already been incorporated by the House Committee on Appropriations and by the House in the now-pending continuing resolution for fiscal year 1983.

We strongly support that provision as a compliment to our efforts in support of S. 2801.

[The prepared statement of Mr. McCloskey follows:]

STATEMENT OF
MICHAEL MCCLOSKEY

EXECUTIVE DIRECTOR
SIERRA CLUB

BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER
COMMITTEE ON ENERGY AND NATURAL RESOURCES

U.S. SENATE

23 SEPTEMBER 1982

Mr. Chairman, my name is Michael McCloskey. I am the Executive Director of the Sierra Club, a nationwide volunteer membership organization devoted to conservation and environmental protection. Over the past 15 months, the Sierra Club has experienced its most rapid membership growth in its 90-year history. Today we number some 320,000 members, organized into active Chapters in every state of the Union. We are also enjoying an equally rapid surge in our grassroots organization, as each of our Chapters spins off more and more locally organized Groups in their states. Today the Club has over 300 local Groups actively pursuing our outings, educational programs, conservation efforts and political action, all ways in which we pursue our goals for conservation, wise resource use, and perpetuation of environmental quality and diversity.

I am particularly pleased to appear today on behalf of the Sierra Club to express our strongest support for S. 2801 and for the House-passed measure, H.R. 6542. Given the Sierra Club's 90 years of involvement in wilderness preservation, you will not be surprised to know that this remains among our highest priority concerns. No issue before the 97th Congress in the brief remaining time of this Session is of greater concern or has aroused greater involvement from our volunteer leaders and members. We want to do everything we can to assist this Committee in moving this legislation, in its present form, to enactment.

Before filling in the details, I would like to summarize the Sierra Club's position on the principal issues before the Committee:

1. The Sierra Club strongly supports S. 2801 as introduced. I want to express our deep appreciation to all of the senators from both sides of the aisle (including those on this Committee) who have joined in cosponsoring this bill. I especially want to thank Senator Jackson for his continuing leadership on public lands issues. I also want to thank Senator McClure and Senator Wallop for holding this hearing.

2. This bill and the identical House-passed bill include some provisions which the Sierra Club can only support because they are embodied within the bill which includes so clear and definitive a solution to the immediate threat of leasing within wilderness areas and wilderness candidate lands. In the House we vigorously opposed further amendments to the bill, specifically amendments to permit seismic exploration within wilderness lands and amendments embodying any of the proliferating variations on so-called "release language." We oppose any such amendments in this Committee or on the Senate floor. We have been able to support this bill in its existing form because it balances new provisions dealing with mineral inventory activities in wilderness lands with a permanent withdrawal of such lands from the present threat of leasing. Addition of such amendments would make it impossible for the Sierra Club to support the bill; we would have no choice but to vigorously oppose the bill as a whole.

3. Our opposition to further major amendment of the bill is reinforced by our disappointment that this legislation does not address leasing threats to wilderness study areas administered by the Bureau of Land Management, or the continuing threat represented by the application of the archaic 1872 Mining Law to hard rock minerals within wilderness lands.

4. The Sierra Club has worked diligently and in good faith to help develop and see adopted a reasonable compromise to the so-called "release" issue involving certain categories of National Forest roadless lands. We were supportive in 1980 when this Committee accepted the compromise "sufficiency language" which we had helped negotiate on the House side. We regret that our partners in that negotiation, representing the timber industry, have chosen to abandon their commitment to that compromise. We oppose any revision of the basic, standard "sufficiency language" formula which this Committee and the Senate found acceptable in 1980 in three major statewide wilderness bills. This is a matter of the highest importance to us.

Now, Mr. Chairman, I wish to briefly expand on several of these matters.

First, as a long-time participant and close observer of these wilderness policy issues, going back in my own involvement at the time when the Wilderness Act became law in 1964, I have been very pleased by the overwhelming public support for what this legislation would do. Wherever the possibility of oil and gas or other leasing has been raised, all across the country, local people have responded urgently and overwhelmingly to oppose such activities within designated wilderness areas and popular wilderness candidate lands. This broad public reaction has gone far beyond the membership of the Sierra Club and other conservation groups. I have never witnessed a clearer public consensus: The American people do not want wilderness lands opened to this kind of development. Period.

Mr. Chairman, we have heard other interest groups involved in these issues say that Congress intended to encourage energy and mineral development in wilderness areas when it adopted the Wilderness Act in 1964. Nothing could be further from the truth. As every previous Secretary of the Interior and Secretary of Agriculture have obviously understood, in administrations of both political parties, the law provided discretion to them to refuse to issue leases for exploration or development in order to protect overriding wilderness values. The Senate was particularly concerned to stress this point as it adopted the Wilderness Act in 1964. The Senate's version of the Wilderness Bill (S. 4, 88th Congress) contained no "window" for continued location of hard rock mineral claims or for continued leasing under the Mineral Leasing Act. When the House adopted its own version of S. 4 in May of 1964 it included a 25-year period for the continued operation of the Mining Laws and the Mineral Leasing Act within designated wilderness areas, running until December 31, 1989.

The Conference Committee on the Wilderness Bill (of which Senator Jackson was the only member still serving in the Congress today) resolved this issue -- which was one of the few difficult issues remaining at that stage of the process. They adopted the 19-year "window" now found in section 4(d)(3) of the Wilderness Act.

On August 20, 1964 the Conference Report on S. 4 was adopted by both houses. The floor debate in the Senate was very brief, but Senator Clinton Anderson of New Mexico, who filed the Conference Report, discussed this exact issue. I include the full text of that portion of Senator Anderson's statement:

I was asked by one of the Members of the Senate about the destruction of wilderness areas during the 19 years that mining laws are to be applicable, and about the language in the House amendment in that respect. I assure the Senator that I shared his concern. I feared that the language of the amendment might be misinterpreted to mean that mechanized equipment could be used in prospecting -- that bulldozers might be used to prospect or even cut long roads to the prospect areas.

We were assured by the House conferees that the House language has no such meaning.

We were told that the Forest Service has managed to avoid serious damage to the primitive, wild and wilderness areas for 25 years or more; that Forest Service regulations governing mining activities in the areas can be continued and, indeed, that the regulations can be strengthened. The bill provides that activities in the areas shall be in harmony with the wilderness concept under reasonable regulations.

This was a crucial question in regard to the bill.

I have a great personal interest in the Gila wilderness in New Mexico. I do not want to see the beauty and the primitive grandeur of that area disturbed. I would be much happier if I knew that all new mining activity in the area was being stopped.

If there were to be a relaxation of mining regulations which would permit serious depreciation of wilderness values, I would have sought to still be in conference. It is true that the Forest Service has managed to protect most of the primitive and wilderness areas from depredations in the past. With the assurance that the regulations governing mining can be strengthened, I feel we have a meritorious bill. (Congressional Record, August 20, 1964, 88th Congress, page 20601, Bound Edition, emphasis added).

I do want to just add, Mr. Chairman, that the Sierra Club does not oppose the idea that at some future time, in some specific location, it may be in the national interest to explore for and even develop some particular truly strategic mineral within a wilderness area. However, these lands and other preserved areas should be the last places we would develop. Unless and until we have looked elsewhere, these wild lands must remain off-limits. We have not opposed the inventory provisions of this bill,

just as we did not oppose the inventory requirements which are included in the Wilderness Act itself. However, to grant private parties leases to explore, on the argument that "we ought to know what is there", would allow a private investment within a wilderness area that will obviously impel the private company to press for immediate development rights if mineral values are found, even if other non-wilderness lands having similar or greater mineral potential remain unexplored and undeveloped.

I believe the record will demonstrate that in those few cases where clear national interest in a strategic mineral has been involved, the Sierra Club has cooperated in a responsible way in realignment of wilderness boundaries or in other specific, case-by-case means of assuring that mineral exploration and development can go forward. The case of the potential Blackbird cobalt mine along the edge of the Kiver of No Return Wilderness in Idaho is a recent example. I must also stress that in any such case we would insist on a careful assessment to determine that, in fact, mineral values outweigh important wilderness values of the area.

Mr. Chairman, the final several points I want to stress involve the broader issue of wilderness designation and of "release" of roadless areas.

First, we view the issue of "release language" as wholly unrelated to the purpose and content of S. 2801. While some interests might think it worthwhile to try to hitch some "release language" to this bill as the quid pro quo for the leasing withdrawal, I want to stress that we could not support any bill including such language.

If faced with that circumstance, we would search for other means to protect wilderness lands from leasing until they are automatically withdrawn on December 31, 1983 pursuant to the Wilderness Act. In our system, even determined public officials must recognize and respond to public opinion when it is so overwhelming and so broadly based. We are prepared to pursue such legal steps as might prove necessary if leases are actually issued in any wilderness area. When the leases involving lands within the Capitan Wilderness in New Mexico were revealed, the Sierra Club promptly filed a lawsuit making the simple point that not a shred of environmental assessment had been undertaken, rendering the leases there patently illegal. I am happy to say that we were able to resolve that case in a settlement which involved the voluntary relinquishment by the leaseholder of that portion of the leases which actually included lands within the wilderness area.

Furthermore, as this Committee is aware, language which has much the same effect as the withdrawal in this legislation has already been incorporated by the House Committee on Appropriations in the now-pending Continuing Resolution for fiscal year 1983. We strongly support that provision as a complement to our efforts in support of S. 2801.

Mr. Chairman, we must stress that this whole issue of "release language" has been very greatly overblown by its advocates. The simple, unrefuted fact is that every acre of National Forest roadless land recommended as "non-wilderness" by President Carter in April 1979 at the completion of the RARE-II program was released then and there. The Forest Service has documented the great amount of non-wilderness development which

has been proceeding in these RARE-II non-wilderness areas since April 1979. The vast majority of this development has not been contested by local environmentalists at all. "Release language" is unnecessary.

There have been greatly exaggerated fears about lawsuits contesting the legal sufficiency of the RARE-II program and resulting in sweeping injunctions tying up tens of millions of acres of these RARE-II "non-wilderness" roadless areas.

Mr. Chairman, there would be no need to fear such lawsuits had the RARE-II program been performed in conformance with laws enacted by the Congress. We did not request that the Forest Service initiate the RARE-II program, but once they chose to do so we tried to work with the agency to improve the program so that it would be accomplished in a legally sufficient way, with a legally sufficient environmental impact statement. We wanted RARE-II to succeed in sorting out the desirable wilderness areas. We regret that, pressed by arbitrary time limits, the Forest Service found it impossible to complete the overly-ambitious RARE-II program in a legally adequate fashion.

Although our lawyers advised us that the RARE-II program contained numerous legal inadequacies, the Sierra Club has never even entertained the idea of filing such a lawsuit. We fully appreciate that a sweeping injunction embracing millions of acres of roadless lands, many of which our local people do not advocate for wilderness designation, would not contribute to the thoughtful and prompt resolution of this issue by the Congress. Indeed, Mr. Chairman, we advised officials of the State of California against filing their more limited lawsuit.

Neither we nor any other conservation group has filed any similar lawsuit elsewhere in the country. We have actively discouraged such ideas within our own organization and where we have learned of other groups even considering the possibility. We have tried to keep the "heat" lowered on this issue so that the Congress can proceed to designate those RARE-II areas which so obviously merit inclusion in the National Wilderness Preservation System. Discouraging such lawsuits, when local conservationists are watching some particular favorite roadless area threatened by imminent development, has not been easy, particularly when some development interests have repeatedly opposed reasonable wilderness legislation.

The "release language" which continues to be proposed by such development interests would incorporate direct and indirect revision of basic laws governing the administration and management of the National Forests. Having worked closely in the process of adoption of the National Forest Management Act and its implementing regulations, we simply cannot accept any suggestion that wilderness -- one of the basic multiple uses of the National Forests -- be excluded from consideration in future generations of national forest plans. We agreed with the regulations which do exclude wilderness as an option from the initial round of these plans, because all sides understood that RARE-II was undertaken as a special, fast-tracked part of the planning process for the initial round. When future forest plans are being made in the 1990's and in the next century, remaining "de facto" wilderness must be considered as a land use option along with all other potential uses.

Mr. Chairman, I know full well that the issue of "release language" versus "sufficiency language" and of nationwide bills versus state-by-state bills has become very inflamed and polarized in some quarters, including here in the Senate. We regret that. If we have had to appear to some as unyielding in our opposition to new versions of "release language" it is because we have yielded to the point of negotiating and accepting the earlier compromise. The sufficiency language has worked in the states where it was used -- without eliminating future wilderness options.

The Sierra Club hopes this Committee will continue to work for balanced wilderness designations and will immediately address this urgent, separate issue of energy and mineral leasing in wilderness lands by approving S. 2801 without weakening amendments.

Thank you.

Senator WALLOP. Thank you very much.

Senator Melcher?

Senator MELCHER. Bill, you are the leading conservation group for wilderness, as you should be, the National Wilderness Society.

Now you mentioned compromises, compromises which are such that Alaska isn't included in this and BLM lands are not included in this, and those are compromises—fine. But we have just dealt with Alaska a couple of years ago and BLM under FLPMA is just in the infancy stage of reviewing what they might be recommending for wilderness.

Now I think the bill goes in two directions. You don't address that. There won't be any leasing. Fine. That is correct, but there will be exploration. It includes such things as specifically saying this is granted by Congress, the intent of Congress, such as core drilling in designated wilderness areas which could include the Bob Marshall which I thank you for the compliment. I agree with you. It is the crown jewel of the national wilderness preservation system.

Senator WALLOP. Did someone say Washakie?

Senator MELCHER. I like Washakie, too. They are both relatively part of Montana. Washakie just escapes it a little bit.

This bill is presented to us as if, you know, Secretary Watt has his authority to grant all these leases. I am only going to speak about Montana. You were present here in the room when we put in the record what Secretary Crowell said. An EIS is going to be

completed, and there isn't going to be any Secretary of Interior allowed to make any leases in these areas until that EIS is completed or rather two EIS's are completed. In Montana now we have had this deal on Deep Creek. Perhaps you are aware of it—where there were some leases issued in an area of further study. There are leases now undergoing litigation, so I don't think that mistake is going to be made again.

I just wonder why the bill should go in two directions. It makes no sense to me. Shouldn't there be leases? I don't think there should be leases. I don't think there should be exploration in these areas until the decision is made on whether or not it is going to become part of the wilderness system, so I would speak about that as a compromise rather than getting into this vague stuff about BLM and Alaska which has nothing to do with this bill, is completely out of it.

I also wonder why the Wilderness Society and other advocates of the bill seem to be saying, on the one hand, Secretary Watt is a threat, but on the other hand saying that section 4(b), that the Secretary of the Interior should have additional power.

I have been around here 13 years as a member of either the House Interior Committee or this committee. I have never seen any logical reason why we should give any Secretary of the Interior, and I don't care who he is, more power. I have always felt they have had too much power to begin with. We have had some problem reestablishing the fact that Congress is really the guardian and the caretaker of public land, not the Secretary of the Interior, or the Secretary of Agriculture, or the White House, or anybody else. It is bound to the Constitution that the Congress has priority and must exercise that priority over managing the public lands, so I will point out to you that section 4(b) gives the Secretary of Interior greater power. It says, "shall augment." Those are the words, and that means greater power under 4(d)(2).

Second, it gives the Secretary of the Interior the authority to contract out exploration for minerals—the first time that has been given by Congress if we pass this bill. I don't know why we should. I don't know why we want to contract out. It has always been restricted to the Bureau of Mines or the Geological Survey.

Third, section 4(b) leaves out the Forest Service in the stewardship and the management of Forest Service lands.

I don't have any questions for you.

Senator WALLOP. Five minutes are up.

Senator MELCHER. I've just got a bill that goes in two directions and you can't justify why you should go in two directions by vague assertions from the society and from your attorney Coppelman that says well, we have compromised because we don't have Alaska or BLM lands, and of course they are not in there. Why should they be in there?

Mr. TURNAGE. May I respond to your nonquestion briefly?

Senator MELCHER. You will have to ask the chairman.

Senator WALLOP. By all means, hopefully more briefly than the nonquestion.

Mr. TURNAGE. I haven't got it in me to match that Senator, the Wilderness Society and the organizations that we are working with to support this legislation share many of your concerns.

We have agreed to compromises, some of which we are not entirely comfortable with, both because we think it is important to protect these areas, and we are deeply, deeply concerned that the entire national wilderness system could go, simply go under next year if Mr. Watt acts, and in order to try to protect the essence of the system we are willing to make some compromises.

Also we are reasonable people. At least we think we are. We definitely support the development of appropriate public lands for oil and gas. What we are talking about is saving a very, very small portion of those public lands.

At the same time, the provisions you refer to on exploration are governed first by the clear statement in the act that they have to be conducted in a manner compatible with the preservation of the wilderness environment, and second, what they do is underscore the already existing authority in section 4(d)(2) of the Wilderness Act of 1964 to continue surveying and inventorying the potential of these areas. We don't know whether at some point in the Nation's history it may be necessary and it may be the wisdom of the Congress that these areas should be developed.

What we are saying is let's do it last, and if we do it, let's do it very, very carefully.

Senator MELCHER. Well, I am just going to point out to you that if it is in the wisdom of Congress to do that, Congress should act on it and it shouldn't be the Secretary of the Interior. You are augmenting and increasing the authority of the Secretary of the Interior by your own language. We can act. Congress can act, and do it deliberately, and it should not be just left up to the whim of the Secretary of the Interior, whoever he might be.

Senator WALLOP. Senator Warner.

Senator WARNER. Thank you, Mr. Chairman.

Senator MELCHER. Pardon me—whoever he or she might be.

Senator WARNER. Is that a campaign statement on my time?

Senator MELCHER. I ask for additional time for the Senator from Virginia, and of course it is not a campaign statement. It is just a statement of fact. The majority of Americans, and that includes Montana, are women.

Senator WALLOP. Does that include Washakie?

Senator WARNER. Gentlemen, let's proceed with the hearing.

Referring to both statements, Mr. Turnage and Mr. Peterson, Mr. Turnage, you make the statement that wilderness areas do not hold the answer to the Nation's energy needs. They constitute only 1.2 percent of the total land base for the lower 48, and the key word is negligible amount of the Nation's estimated supply of oil and gas, and the Governor stated that based on the best available information, that 4.4 percent of the Nation's oil resources may lie in the wilderness.

What are the backup facts for those two statements, gentlemen?

Mr. TURNAGE. Senator, the studies, two major studies have been done, one which the Wilderness Society's Economic Policy Department headed by former Congressman Joseph Fisher commissioned by Leonard Fischman, a nationally renowned minerals resource economist.

In addition, the Department of Energy commissioned a study by the Oak Ridge Laboratory and both of those studies found that,

and I am only talking now about onshore potential, and the onshore potential was less than the offshore potential, that just over 1 percent of the likely potential oil and gas reserves would be found on designated wilderness areas.

That is not a totally insignificant amount in the totality obviously. I think our view is that when you look at the values, the many, many values that these wilderness areas represent, that these resources should not be developed at this point.

Senator WARNER. We are trying to work out the balance here. I am just trying to get the facts.

Mr. R. PETERSON. In my statement that 4.4 percent of the Nation's oil potential may lie, may lie within wilderness and wilderness candidate areas, came from a study made in 1981 by Economic Associates, and as far as we are concerned, we think that it would be wise from the long-range planning of the country to deliberately withhold from extraction of all of our resources just to take care of our immediate concerns of our generation. They are in the bank, and later on someone can make that decision.

Senator WARNER. What are the estimates? Are they comparable to those in the oil industry? I will find them out.

Mr. TURNAGE. Senator, first let me say that Governor Peterson's figures come from the same study by Mr. Fischman that the Wilderness Society commissioned, and it combines all the possibilities of designated and so on, so forth, so there is no discrepancy between our figures.

We submitted our study for peer review to the American Petroleum Institute, and I think that fundamentally they concurred with our conclusions. Basically in there they say if there is any potential, it ought to be developed. I don't think that there has been an enormous argument about the data. It is U.S. Geological Survey data.

The problem, of course, is that the industry says well, until we drill, we will never know.

Mr. R. PETERSON. Mr. Chairman, may I make this one-sentence comment that Bill Turnage was talking of that same study referring to the percentage of oil in designated wilderness areas?

I was talking about designated plus candidate areas.

Senator WARNER. That was clear. Thank you very much.

Senator WALLOP. I would say that all of those studies, the industry studies and the Economic Associates study, are all cuckoo. Nobody really knows. We couldn't have known what we have discovered in the Overthrust Belt in the last 5 years if those studies had been made say in 1970.

Mr. R. PETERSON. It is like finding eight dry holes in George's Bank.

Senator WALLOP. Exactly, so it is really an exercise in a nonissue, but there is another one that is more directly related to this.

Senator Nickles?

Senator NICKLES. Thank you, Mr. Chairman. Mr. McCloskey, just a question—it has been legal I guess since 1964, actually previous to 1964, to have development on these wilderness areas.

Has your group or have you determined that that has been abused or that the environment or the wilderness areas have been destroyed or abused in any manner that detracts from the overall

value of the wilderness areas since this has been possible for the last 20 or more years?

Mr. McCLOSKEY. Indeed very little development has taken place over the last 20 years. I understand that some 1,000 leases have been issued, but that no actual oil development has taken place in the wilderness areas.

Senator NICKLES. We heard testimony from some, I guess some industry, oil industry people, who said yes, there may be leases, but that is only the initial step in that further study and development before they would actually get into the production stage.

I was just wondering, we had somewhat of an image that with all these bunches of leases that are possible, applications that are possible, that if this thing was not to pass, that you are going to see a well in every acre in wilderness areas, and I was trying to determine if you felt that is going to be the case or if you felt like if there was some development there wouldn't be that damage?

I think Ms. Sheldon mentioned that you were going to take some legal procedures to stop any leases that might be coming about.

Have those leases in the last 20 years proven to be damaging to the wilderness area?

Mr. McCLOSKEY. First of all, up until the indication of the administration, the Forest Service had a general position against issuing leases on wilderness areas, so it was Federal policy not to do that.

Senator NICKLES. There are a lot of leases that were already issued and some that have been issued. Have they been detrimental?

Senator WALLOP. There are more issues prior to this administration than have been issued since this administration in the wilderness areas.

Senator NICKLES. My question is has that proven to be detrimental to the wilderness areas?

Mr. McCLOSKEY. Since it has not been developed, little or nothing has been done. The damage hasn't been done. Our concern is if development takes place.

We are also concerned with the exploration process, but certainly the development of a producing well with all the attendant roads and construction activity that would come in with it would definitely severely compromise wilderness values.

Senator NICKLES. Let me ask you a specific question. Mining companies have drilled 40 holes in an existing mountain wilderness in Montana.

Has massive destruction resulted from such drilling activity?

Mr. McCLOSKEY. Ms. Sheldon has been our attorney in the case. Perhaps she could address that.

Senator NICKLES. I am looking to find out if what you are trying to prohibit has done so much damage.

Ms. SHELDON. I would like to answer that in a fairly large way, Senator. As Mr. McCloskey indicated, prior to this administration, it was the general policy not to issue leases in designated wilderness areas. This is expressed not only in policy but in regulations of the Forest Service and in solicitor's opinions of the Department of Interior.

Some leases were in fact issued. Very few, if any, of those leases have been developed. The issue is not, however, whether the devel-

opment has taken place, but whether the leases have been issued because a lease, however you regard it, is a legal relationship.

Senator NICKLES. I heard your legal statement. I am still trying to find out if there has been some environmental negative impact.

Ms. SHELDON. Yes. The answer in short is yes. With respect to the Cabinet Mountains Wilderness in particular I think you can write off that wilderness area in my view because of the extent of mining activity that has taken place in that area. That has been hard rock activity.

Senator NICKLES. Hard rock, and we are doing hard rock?

Ms. SHELDON. Yes. The exploration activities that have gone on in the Cabinet Mountains has been hard rock, copper, and silver primarily. I do not know if there have been any oil and gas leases issued in the Cabinet Mountains Wilderness. Our legal activity has concerned hard rock.

Senator NICKLES. Could you submit to this committee some of the damages that have resulted? I have asked my one question, but I would be interested in that, or other evidence that you have. I am interested to see how much damage has been done to the wilderness areas that you are trying to prohibit.

Mr. TURNAGE. Mr. Chairman, could I add a brief comment? I think, Senator, that the fact is one that the number of oil and gas leases issued is very, very small—a dozen, a dozen and a half, and they seem to have slipped through almost by accident.

The policy changed when Mr. Watt became Secretary. He is the first Secretary who has advocated the issuance of leases and encouraged the issuance of leases. The figure that Mr. McCloskey referred to, 1,000 leases, they have not been issued. Those are applied for. If you look at the fact that there has essentially been no oil drilling activity in wilderness areas for 19 years because that has been the policy of the Government, now we are talking about opening up half of the existing designated wilderness system to oil and gas leasing. In our opinion, it would simply destroy the system. We are talking about megamagnitudes of difference.

Senator NICKLES. I think all those leases, whether it be an oil well or mine, on each one of those leases it will be coming back.

Mr. TURNAGE. Well, one of the things in the nature of wilderness is that if you put a road right across it, you haven't got a wilderness anymore.

Senator NICKLES. I have no further questions.

Senator WALLOP. I just want to ask each of you, Mr. Turnage, Russ Peterson, and Mr. McCloskey, in light of your testimony, will you be pressing to, in the next Congress, to have the BLM further study areas included, and the Alaska lands included?

Mr. R. PETERSON. I would think that—

Senator WALLOP. That was part of the so-called compromise as they expressed it?

Mr. R. PETERSON. Mr. Chairman, we will certainly in the National Audubon Society continue to do all we can to protect our wilderness areas, and as we go down in the future, we will be compromising with people who want to go a different direction, and we will strive to protect wilderness study areas, yes, and what we are concerned about is carrying out development in these critical areas.

Senator WALLOP. You know, with all respect, I am trying to get this done, I really just want an answer as to whether or not you will be pressing for that part of the compromise that was left out in the next Congress.

Mr. TURNAGE. Senator, speaking for the Wilderness Society, I think it would be our hope that if the Senate joins the House in speaking very strongly and clearly on this issue, just as we feel the people of the country have spoken—I have here over almost 500 editorials on the oil and gas issues that have been written in the last 6 months, 120 in major national newspapers since the House passed its bill, and 116 of them favoring protection, favoring the bill, our view is with that kind of sentiment, with the support of the House and the Senate, that the administration would not move in 1983 to issue leases on these other lands, and that would be our hope.

Senator WALLOP. Two nonanswers—have you got one, Mr. McCloskey?

Mr. McCLOSKEY. I'm afraid it is in the same vein. We do hope you will enact this bill as introduced. If it is not enacted, we will assess the situation we find in 1983.

Senator WALLOP. But if it is; I am making the assumption that working on your behalf it will be. That was the question that I asked—assuming this gets passed.

Mr. McCLOSKEY. We have certain legal challenges that we have now posed to the current interpretations of the law regarding the protection of BLM areas. We believe that a larger measure of protection should be afforded to them under the present provisions of FLPMA than they are now getting.

We have not reached any determinations as to what we will do in terms of advancing the specific vehicle toward the end of assuring better protection.

Mr. TURNAGE. I would like to make my nonanswer an answer. I intended to make it an answer, and that is that I am committed, the Wilderness Society, not to work for this additional legislation if this bill passes, and if the administration does not move to lease in Alaska and in the BLM wilderness areas.

Senator WALLOP. Let me just ask you, Mr. Turnage. With whom was this compromise of which you spoke struck inasmuch as there was no hearing on this bill?

Mr. TURNAGE. I think that the House committee and the ranking minority member, Mr. Lujan, Congressman Udall and Congressman Sieberling, were the principals involved in the negotiations, and we worked with them.

Senator WALLOP. Thank you. I thank you all very much for your testimony. I appreciate it.

We have a panel of four people. We have a cloture vote. I would like to keep on moving if we can. The next panel is Mr. James Cook, district landsman, Placid Oil Co., Denver; Mr. Kenneth K. Cummings, independent geologist, Denver; Mr. C. M. Peterson, independent, Denver; Mr. Richard Wolgast, Rocky Mountain regional manager, Western Division, Phillips Petroleum, and the same criterion applies. Your statement will be included in the record in its entirety, and we will get underway with Mr. Cook.

STATEMENT OF JAMES COOK, DISTRICT LANDSMAN, PLACID OIL CO.

Mr. COOK. Mr. Chairman, members of this committee, I will present in part the statement coauthored by James Hopkins, attorney for Placid. You have a copy of the full statement for the record.

My name is James Cook. I am district landsman for Placid Oil Co. in the Rocky Mountain district, living in Denver.

Placid Oil Co. in Dallas, Tex., is involved in the exploration, production, and refining of oil and natural gas and has been heavily involved in exploration activities in the Rocky Mountains for the last 10 years. At this time, Placid has approximately 1,600 people. The employees of Placid are consuming members of society who enjoy the benefits of the American way of life, including the recreational opportunities afforded by the national parks and wilderness areas of this country. Placid stockholders and employees are hunters, fishermen, backpackers, hikers, and other types of outdoor enthusiasts.

Placid's achievements in environmentally sensitive areas of Louisiana, Mississippi, Florida, and the wetlands and marshlands along the gulf coast add up to a documentable record of Placid's sensitivity and concern with regard to the natural environment.

I need to point out that Placid Oil Co. drilled four producing oil wells in Appalachian coal and the national forest in Liberty County, Fla., in 1974 and 1975. In connection with this project, Placid received a commendation from the Audubon Society for its sensitive and esthetic handling of the project, and we thank the Audubon Society for that.

Placid is opposed to passage of Senate bill No. 2801. Placid feels that the passage of said bill is not in concert with previously stated goals of the U.S. Government and would be detrimental to the American economy.

The Federal Government holds approximately one-third of the total land area of the United States. According to figures published by the American Petroleum Institute, and as of 1980, only about 13 percent of the Federal Government's onshore acreage was under lease for oil and gas exploration. Estimates published by the same institute indicate that the Federal lands contained 37 percent of the undiscovered crude oil and 43 percent of the undiscovered natural gas. Most of these resources are in the Overthrust Belt of the Rocky Mountain States and/or California.

Theodore Roosevelt, a great hunter and outdoor enthusiast, began his sporadic campaign for proper use of the natural resources encompassed within the Federal lands. To these early conservationists, proper use meant multiple use. Multiple use is a code word for the process of reviewing various possible uses and selecting the highest and best use for specific tracts of land.

In 1972 the Forest Service and the Department of Agriculture began a study called Wilderness Areas Resource Evaluation in which numerous areas were assessed for wilderness characteristics. The program resulted in a recommendation that 36 million acres be released for various types of development, and 11 million acres be held for further study, and the acreage held for further study consists of numerous further planning areas.

In assessing the tracts of land, the Forest Service prepares an environmental assessment drafted only after scientific data has been gathered and public hearings have been held, and input has been had from interested citizens, environmental groups, and industry groups.

The publicly avowed goal of the environmentalists and protectionist groups with regard to further planning areas is to establish those areas as de facto wilderness and to eventually have all of those areas formally designated as wilderness areas with the result that they would be declared off limits to oil and gas exploration and development, mining, the harvesting of timber, and recreational use by the general public.

Energy resources are vital to the economic survival of this country. In 1975 the United States imported 37 percent of its oil supply, while in 1978 imports had increased to 45 percent. As the threat became more and more obvious, drilling and exploration was increased. Conservation measures were undertaken and synthetic fuels programs were launched. However, as these measures began to take hold and produce results, interest began to lag, with the result that the political impetus for these programs was lost and actions adverse to the attainment of energy independence began to be asserted. We find now that the interest in alternate energy sources has dissipated.

The "Historical Statistics of the United States: Colonial Times to 1976," volume 1, indicates that 11.34 million people were unemployed in 1934. In August 1982, there were 10.805 million people unemployed. Should Senate bill No. 2801 be passed, the multiple use concept held by President Roosevelt will become just another footnote to history. The further planning areas are not de facto wilderness and must not be classified as areas off limits to further planning. Rather, the further planning areas must be very carefully and prudently subjected to the acquisition of data in order that the prescribed further planning can take place.

We know that leasing of further planning areas would ultimately result in setting aside of a majority of that acreage after seismic work is done and data is correlated, the majority of these acreages found not to be preservative for hydrocarbons.

The leasing of further planning areas would result in the certain knowledge that the vast areas can be prudently designated wilderness areas and locked away from commercial useage without depriving this country of much needed energy resources. To have oil companies to expend vast amounts of its capital upon such activities without holding a valid and binding oil and gas lease would constitute negligence in the handling of that capital.

Therefore, Placid earnestly requests that you reject Senate bill No. 2801 in order that the sensible multiple use concept can be applied to the management of Federal lands and to further planning areas in particular.

Rejection of this bill and the pronotion of the multiple use concept will result in the citizens of this country having more goods and services, more secure jobs, less inflation and less unemployment.

[The prepared statement submitted by Mr. Cook follows:]

Testimony By and On Behalf Of

PLACID OIL COMPANY of 3900 Thanksgiving Tower, Dallas, Texas

Placid Oil Company whose address is 3900 Thanksgiving Tower, Dallas, Texas 75201 is a Delaware corporation which was incorporated in 1936. It is involved chiefly in the exploration, production and refining of oil and natural gas. In furtherance of these pursuits, Placid maintains offices in Dallas, San Antonio, Denver, Salt Lake City, Anchorage, Calgary, Shreveport, Jackson, Houston, and the Hague, the Netherlands.

Placid has had considerable success in exploration and production and has become a significant producer in the Gulf of Mexico. Also, Placid has significant production in Louisiana and in the Dutch North Sea. Furthermore, Placid has been heavily involved in exploration activities in the Rocky Mountains for the last ten years. This activity in the Rockies is carried out, chiefly, through Placid's fully-staffed offices in Denver and Salt Lake City.

Placid Oil Company began in the entrepreneurial spirit and continues to this time to embody and to champion the characteristics of the free enterprise system which has raised the standard of living in America to a height heretofore unknown in the history of the world. Placid Oil Company, as a privately owned company, was incorporated for the purpose of providing revenue for its stockholders. While unashamedly pursuing this goal, however, Placid has consistently benefited the society within which it operates by providing jobs to the American people for the last forty-six years. At this time Placid employs, on a full-time basis, approximately 1,600 people. Placid Oil Company continues to believe that, by fulfilling the needs of the American society in providing to society goods and services which it requires,

it can continue to grow and prosper in a way that will be monetarily beneficial to the stockholders and will at the same time provide more goods, more services and more opportunities of gainful employment to the citizens of this great nation.

Placid Oil Company, and the individuals who are employed by Placid, are consuming members of society who enjoy the benefits of the American way of life, including the recreational opportunities afforded by the National Parks and Wilderness Areas of this country. In one sense, Placid, or any oil company, might be considered a collection of stockholders and employees, many of whom as individuals, are hunters, fishermen, backpackers, hikers and other types of outdoor enthusiasts. Placid Oil Company is sensitive to the need for protection of the environment. Placid's achievements in environmentally sensitive areas in Louisiana, Mississippi, Florida and the Wetlands and Marshlands along the Gulf Coast add up to a documentable record of Placid Oil Company's sensitivity and concern with the regard to the natural physical environment. Not only is Placid proud of its historical record in this regard, Placid is also committed to maintain its outstanding record as it strives through the coming years to help solve the energy problems that have beset this country.

However, Placid is earnestly opposed to the passage of Senate Bill No. 2801. Placid Oil Company generally feels that the passage of said bill, or any bill containing similar provisions which would withdraw or unduly restrict the use of public

lands to a single purpose without consideration of their suitability for other uses, is not in concert with previously stated goals of the Government of the United States and would be detrimental to the American economy for several reasons which will be discussed hereinafter.

As an oil and gas exploration and production company, Placid Oil Company is vitally interested in the outcome of the debate over Senate Bill No. 2801 because of the importance of Federal lands in the drive to make America energy independent. The Federal Government owns 775 million acres which constitutes approximately one-third of the total land area of the United States, according to figures published by the American Petroleum Institute. Additionally, the government retains control over the subsurface mineral rights of an additional 63 million acres and controls 528 million acres of submerged lands on the nation's Outer Continental Shelf. As of 1980, only about 13% of the Federal government's onshore acreage was under lease for oil and gas exploration and development. Estimates published by the American Petroleum Institute indicate that Federal lands contain 37% of the undiscovered crude oil, 43% of the undiscovered natural gas, 40% of the demonstrated coal reserves, 80% of the recoverable oil shale reserves and 95% of the tar sand deposits in Utah, where most of this resource is located. A closer look reveals that most of these resources are in the Overthrust Belt of the Rocky Mountain states and/or in Alaska. In looking at the Rocky Mountain states, we

find that the Federal government owns 35 $\frac{1}{2}$ % of the land area of Colorado, 63.8% of the land area of Idaho, 29.7% of the land area of Montana, 63.6% of the land area of Utah and 48.2% of the land area of Wyoming. The Federal government has always been the largest single landowner in the United States. At various times it has held title to about 4/5ths of the nation's total land area. Because private ownership of land has historically been a goal of the American people, more than a billion acres were transferred to the states and to private citizens to foster public goals. These goals include homesteading, farming, construction of schools and railroads and many other purposes.

Forays into the vast Federal lands by Lewis and Clark and other great explorers brought to the attention of the American public the numerous valuable attributes of the Federal lands. Later, Theodore Roosevelt, a great hunter and outdoor enthusiast, along with Gifford Pinchot and J. W. Powell and others, began a sporadic campaign for proper use of the natural resources encompassed within the Federal lands. To these early conservationists proper use meant multiple use. Multiple use is a code word for the process of reviewing various possible uses and selecting the highest and best use in connection with a specific tract of land. In order to determine the highest and best use, competing possible uses must be studied in relation to both profits and enjoyment to be derived now and/or later from the lands in question.

Another view of the Federal lands is held by a group of people who have come to be known as the preservationists.

California woodsman John Muir, Forest Service Officer Aldo Leopold and Forest Service Officer Robert Marshall are now popularly thought to be early preservationists. In reviewing the history of multiple use, preservation and conservation one should be aware that the interpretations of these persons' positions have not always been consistent. For instance, John James Audubon is considered by many to be not only a conservationist but also a strict preservationist. However, it is a historical fact that Mr. Audubon killed thousands of birds and animals, including buffaloes and passenger pigeons, in connection with his life's work of painting birds, animals and wildlife scenes. Also, in this connection it should be noted that Aldo Leopold, the author of a Sand County Almanac, which is highly regarded by many persons currently involved in the wilderness movement, and Robert Marshall implemented a predator control program in the Kaibab Plateau, near the Grand Canyon, in 1906, in which program mountain lions, bobcats, timber wolves and coyotes were systematically hunted and trapped for the purpose of decimating their population in order to increase the deer herd. It is certainly not in derogation of these Forest Service officials that I mention that their program was not effective. Such experimentation proved that total predator control is disadvantageous rather than advantageous. Such experimentation is probably necessary and must be carried out on a controlled basis, as it has in numerous other instances, in order to implement the multiple use concept which Placid Oil Company believes constitutes proper management of Federal lands.

Although the conservation movement resulted in hundreds of thousands of acres being placed in National Parks and put under

the management of the Forest Service, preservationist groups became alarmed when the National Forests were scheduled for harvesting in the 1950's. The 1960 Multiple Use and Sustained Yield Act was an attempt to canonize the concepts and principles held by the early conservationist. However, the preservationists were opposed to the multiple use concept and secured the passage of the 1964 Wilderness Act. Following the passage of the Wilderness Act, various federal land management agencies began to review their Federal lands with the understanding that wilderness designation constituted one of the alternative uses under the multiple use concept. When the Wilderness Act passed only about 9 million acres of the National Forest System lands were subject to wilderness designations. In 1972 the Forest Service of the Department of Agriculture began a study called Roadless Area Resources Evaluation (RARE). In connection with this study, numerous roadless areas were assessed for wilderness characteristics. Before the RARE Program could be completed it was hopelessly enmeshed in litigation filed by various environmental groups. As a result, the program was scrapped and superseded in 1977 by the RARE II Program. This program was carried out at the behest of President Carter and was completed in 1979. The program resulted in a recommendation that 15 million acres be classified as permanent wilderness, 36 million acres be released for various types of development and 11 million acres be held for further study. This acreage held for further study consists of numerous "Further Planning Areas". Various environmental groups have consistently fought the concept of multiple use as it applies to the consideration of the Further Planning Areas.

Currently, most Federal lands are under the jurisdiction of the Department of the Interior. The Department of the Interior delegates to the Bureau of Land Management the decision as to whether specific acreage should be leased for oil and gas exploration. The Bureau of Land Management defers, in most cases, to the recommendation of the Regional Forester of the applicable area, the Regional Forester being an employee of the Forest Service which is a branch of the Department of Agriculture.

In assessing a specific tract of land the Forest Service, pursuant to its manual, prepares an environmental assessment. The environmental assessment is finally drafted only after scientific data has been gathered, public hearings have been held and input has been had from interested citizens, environmental groups and industry groups.

The adequacy of the environmental assessment has been challenged in several instances with the result that some environmental assessments have been declared insufficient and inadequate under the National Environmental Protection Act and some environmental assessments have been upheld as sufficient and adequate under the National Environmental Protection Act. The publicly avowed goal of the environmentalist and protectionist groups, with regard to the Further Planning Areas, is to establish those areas as de facto wilderness and to eventually have all of those areas formally designated as wilderness areas with the result that they would be declared totally and strictly off limits to oil and gas exploration and development, mining, the harvesting of timber and recreational use by the general public.

The history and current status of the Federal lands must be considered in connection with the current energy dependent status of the United States. Energy resources are vital to the economic and military survival of this country. In 1979 then Secretary of the Treasury W. Michael Blumenthal stated that Treasury Secretary William Simon had discovered in 1975 that the nation's dependence on imported oil was so great as to threaten the national security. Secretary Simon recommended to President Ford that affirmative action be undertaken to remove that threat. However, that threat to national security was not removed; in 1975 the United States imported 37% of its oil supply, while in 1978 imports had increased to 45%. As the threat became more and more obvious, drilling and exploration was increased, conservation measures were undertaken and synthetic fuel programs were launched. However, as these measures began to take hold and produce results, interest began to lag with the result that the political impetus for these programs was lost. Actions adverse to the attainment of energy independence began once again to be asserted. These included the Windfall Profit Tax and the derailment of many alternate energy and synthetic fuel projects. We find now that the interest in alternate energy sources has dissipated and that the fervor to become energy independent has been replaced by an expedient determination to raise quick public revenues by passing additional taxes on the oil industry.

Against this background of the stalled energy independence program, a "tax big oil" mentality and a renewed drive to lock up the Overthrust Belt, we find American society not only cringing in the shadow of OPEC but also decimated by unemployment. The

Historical Statistics Of The United States: Colonial Times To 1976, Volume 1, indicates that 11,340,000 were unemployed in 1934. In August 1982 there were 10,805,000 people unemployed in the United States according to the Bureau of Labor Statistics. This is a total of 9.8% of the work force. In August 1982, 18.8% of the black citizens of this country were unemployed. Further unemployment, we believe, will result from the passage of Senate Bill No. 2801. As a very concrete example, Placid Oil Company maintains offices in Denver and in Salt Lake City. At times, Placid maintains a staff in Casper, Wyoming. Should the Wilderness Further Planning Areas be designated off limits to oil and gas exploration, Placid might be able to staff these offices with a total of fifteen to twenty persons. Should, however, Further Planning Areas be leased to interested oil companies for scientific exploration, the personnel at these offices might double or triple. Furthermore, many outside or "contract" persons would be utilized including landmen, geologists, seismologists, airplane and helicopter pilots, surveyors and others. Currently costs for seismic work by helicopter crews in mountainous regions are as high as \$35,000 per linear mile, and an exploratory well could easily cost \$15 Million. Such expenditures in pursuance of hydrocarbons in the Overthrust Belt ultimately result in jobs in airplane and helicopter plants in Texas and Oregon as well as other communities. Monies paid for mapping and scientific studies filter into the communities in Denver, Salt Lake City, Casper and surrounding neighborhoods. If almost 11,000,000 people have been recorded as unemployed, surely the actual total of unemployed persons in this country is 30% higher. While we are

not suggesting that a decision to lease the Federal lands for hydrocarbon exploration should be made totally on the basis of "pumping up" the economy, we do suggest that the unemployment situation in this country is now so critical as to indicate that the offer of industry to expend capital and create jobs subject to proper environmental protection and restraints must receive full and careful consideration.

Should Senate Bill No. 2801 be passed, the multiple use concept held by President Theodore Roosevelt will become just another footnote to history. The Summary, Final Environmental Statement 78-04, Roadless Area Review and Evaluation, RARE II states at page 4 as follows: "Roadless areas allocated to Further Planning will remain essentially undeveloped until Forest Land and Resource Management Plans, as prescribed by Section 6 of the National Forest Management Act, or other specific project plans meeting NEPA requirements are completed. Exploration and leasing for oil, gas and energy minerals will be permitted under rigid stipulations as described in this Final Environmental Statement." This clearly shows that the RARE II Program was developed and implemented in furtherance of the 1960 Multiple Use and Sustained Yield Act and the concepts envisioned by the early leaders of the Conservation Movement. Subsequent actions of the Forest Service have carefully implemented the Multiple Use and Sustained Yield Act under the direction provided by the RARE II Program. The "Further Planning Areas" are not de facto wilderness and must not be classified as areas off limits to Further Planning or to the acquisition of the data required for Further Planning. Rather, the Further Planning Areas must be very

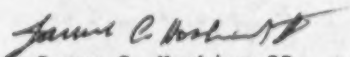
carefully and prudently subjected to the acquisition of data in order that the prescribed Further Planning can take place. Then, and only then, can a proper and dispassionate judgment be made with regard to each Further Planning Area as to whether that particular area should or should not become a designated wilderness. You will certainly recall that the costs of America's imported oil increased from Three Billion Dollars in 1970 to Sixty Billion Dollars in 1979. Due to world-wide inflation since 1979, energy bills have continued to skyrocket, even as energy consumption has been decreased by conservation. Even though conservation has been partially successful, the availability of hydrocarbons which are necessary to the maintenance of the American standard of living is still subject to the whims of a small group of oil exporting countries. Those countries in the Eastern block owe little or no allegiance to the United States and our friends to the North and to the South have been recently rocked by serious, almost tragic, economic instability. Although our own recession has resulted in a lessened demand for hydrocarbon products, the economic recovery to which we all aspire will undoubtedly bring dramatically increased demand for hydrocarbon products with the result that we are once again placed in a vulnerable energy dependent position, to the detriment of our national security.

With this grim spectre in mind, Placid Oil Company calls for the defeat of Senate Bill No. 2801 in order that the multiple use concept can be systematically implemented for the benefit not only of Placid Oil Company but also of the janitor at the Bell Helicopter Plant, the draftsman in the two-man shop in Casper, Wyoming and the retail tire distributor in Butte, Montana.

Placid Oil Company, and we as employees of that company, are proud of wilderness areas. We are just as anxious as you or anyone else for our beautiful wilderness areas to be protected and to be managed in a way that will provide recreational opportunities to us, our children and our grandchildren. We know that there are many areas that can, should and must be set aside and protected from the encroachment of commercial development. However, we also know that the leasing of the Further Planning Areas would ultimately result in the setting aside of the majority of that acreage. This is true because the history of the oil industry conclusively shows that the vast majority of leased lands prove to be worthless for the drilling of exploratory wells. After seismic work is done and seismic data is correlated, the majority of leased acreage is found not to be prospective for hydrocarbons. In other words, the leasing of Further Planning Areas would result in the certain knowledge that vast areas can be prudently designated Wilderness Areas and locked away from commercial usage without depriving this country of much needed energy resources. However, industry is not willing to spend \$35,000 per linear mile to do aerial-supported seismic work without having been first granted a binding oil and gas lease. For an oil company to expend vast amounts of its capital upon such activities without holding a valid and binding oil and gas lease would, in the mind of any reasonable stockholder, constitute negligence in the handling of that capital.

Therefore, Placid Oil Company earnestly requests that you reject Senate Bill No. 2801 in order that the sensible multiple use concept can be applied to the management of Federal lands and to the Further Planning Areas in particular. We believe that the rejection of this Bill and the promotion of the multiple use concept, especially with regard to the Further Planning Areas, will result in the citizens of this country having more goods, more services, more secure jobs, less inflation and less unemployment.

Respectfully submitted,


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Senator WALLOP. Mr. Cummings?

**STATEMENT OF KENNETH K. CUMMINGS, INDEPENDENT
GEOLOGIST, DENVER, COLO.**

Mr. CUMMINGS. Mr. Chairman, members of the subcommittee, my name is Ken Cummings, and I am a professional geologist in Denver, Colo.

I have been involved with the Hinge Line-Overthrust play since its early inception and have written several unpublished reports on the activity and future potential of the Hinge Line-Overthrust play. These reports have been quoted in several publications. In the early days of exploration of the Hinge Line-Overthrust Belt I was considered overly optimistic. Today my earlier optimistic estimates have proven to be fairly accurate.

The Hinge Line-Overthrust play started in late 1970 as a land play in central Utah, had its first major discovery—Pine View—in late 1974, and in less than 8 years has added recoverable reserves of more than 3.2 billion barrels of oil and 16 trillion cubic feet of gas, and will continue to expand and add new and much needed oil and gas reserves to our domestic supply.

The 3.2 billion barrels of oil and 16 trillion cubic feet of gas have so far been established in a relatively small area of southwestern Wyoming and north-central Utah. The areal extent of this more highly explored area in which these reserves have been found is approximately 60 miles by 30 miles, 1,800 square miles, or 1.1 million acres. Converting these current reserves to a per-acre basis, the industry discovered to date approximately 2,777 barrels of oil and 13.9 million cubic feet of gas for each acre within this relatively small area.

Although I have taken the reserve figures and spread them out evenly over the whole area where production has been established,

in reality only approximately 100 sections or 64,000 acres have production established. This amounts to approximately 5½ percent of this area. Obviously we have just scratched the surface of this highly prospective region.

The remaining portion of western Wyoming within the Hinge Line-Overthrust Belt north of current established production to just south of Jackson, Wyo., contains approximately 3,600 square miles or 2.3 million acres—about two times the areal extent of the area to the south that has established production.

Similar geologic conditions exist in this generally unexplored area, and as such an additional 6.4 billion barrels of oil and 32 trillion cubic feet of gas should be present. Using the same analogy, the southeastern portion of the Hinge Line-Overthrust Belt of Idaho should contain an additional 6.4 billion barrels of oil and 32 trillion cubic feet of gas, and the remaining portion of north-central Utah within the belt a similar 6.4 billion barrels of oil and 32 trillion cubic feet of gas.

A smaller segment within this overall area is the Palisades area of Wyoming and Idaho. In very general terms, the Palisades area comprises approximately 288 square miles, or 184,000 acres. Using the figures of existing production in the established area to the south, a minimum of 500 million barrels of oil and 2.4 trillion cubic feet of gas should be expected to be recovered in this wilderness study area.

Overall, the general area of the Hinge Line-Overthrust Belt north of the Uinta Mountains in Utah, western Wyoming to Jackson, Wyo., and southeastern Idaho to the Snake River Plains, could eventually yield somewhere in the order of 22 billion barrels of oil, and 112 trillion cubic feet of gas. As of January 1, 1981, proven reserve estimates for the United States were 29.8 billion barrels of oil and 199 trillion cubic feet of gas.

The entire Hinge Line-Overthrust play is approximately 900 miles long from the Montana-Canadian border to Las Vegas area of southern Nevada, and at least 60 miles wide. A total of approximately 54,000 square miles comprising 34½ million acres are within the heart of the play. The Wyoming, Utah, and Idaho portion that I mentioned above contains approximately 11,400 square miles, 7.3 million acres, or approximately 21 percent of the entire play.

I would figure that along the whole Hinge Line-Overthrust approximately 30 percent of the surface is located within the national forest lands that have been virtually set aside from oil and gas exploration. Using the analogy from the area that has already established a huge amount of reserves in less than 8 years, can we as a nation afford to lock up forever possible oil reserves of some 30 billion barrels of oil and 150 trillion cubic feet of gas?

Oil is where you find it. It is not always in the flat and unscenic areas. The geologic events that caused the majestic mountains and ridges were caused by compressional forces that pushed older rocks over younger rocks—overthrusting—which have practically trapped the elusive hydrocarbons.

We as an industry and as a nation must search and find these reserves. I sincerely recommend rejection of Senate bill S. 2801.

Thank you for your patience.

Senator WALLOP. Mr. Peterson?

STATEMENT OF C. M. PETERSON, ATTORNEY, DENVER, COLO.

Mr. C. PETERSON. Mr. Chairman, I am Pete Peterson from Morrison, Colo. I am an independent in the oil business. I also practice law primarily in the area of Federal land law matters.

I am concerned about S. 2801 because it is based on some irresponsible and illogical concepts relative to land use planning as applied to Federal lands. Only a very small percentage of the lands in the West contain commercial oil and gas deposits. Wyoming, the principal Rocky Mountain oil-producing State, contains some 62 million acres. In over 100 years of oil and gas exploration in the United States, only some 2.2 million acres have been proven to be productive.

Montana contains some 93 million acres, and only about 850,000 acres have been proven to be productive today—less than 1 percent of the total State area.

Colorado contains some 66 million acres, with some 1.1 million acres having been productive, or less than 2 percent. I believe you will all agree that it would be illogical and counterproductive to zone lands for mineral development if the zoned lands do not contain minerals or oil and gas deposits. Congress doesn't zone land for mineral development, but it does zone land for excluding lands from oil and gas development.

In the zoning of public lands for mineral development through the exclusion of lands, you have to consider not only the single-purpose wilderness areas, but also the impact of all of the other single-use or dominant use classifications which close those lands to mineral leasing. Each of these restrictive-use designations serves a beneficial purpose. We can't disagree with that, whether it is wilderness, fish and wildlife, wild and scenic rivers, protection of watersheds, clean air, endangered species protection, historic place, scenic views, et cetera.

Studies have shown generally that about 50 percent of the public lands are withdrawn for various purposes through legislative or administrative withdrawal. However, these studies normally fail to take into account that a great deal of land is also administratively withdrawn from oil and gas leasing as a result of land use planning in the various environmental studies. For example, in the last week or two I received an environmental assessment for oil and gas and geothermal leasing for the Winnemucca District of Nevada. It did not formally close any land to oil and gas leasing, but it did close 97,000 acres to surface occupancy to protect the viewshead from the ruts remaining in a segment of the Applegate-Lawson Trail, in effect closing 97,000 acres.

Probably the most illogical portion of S. 2801 is the section that would close the further planning areas to further leasing.

They were designated for the sole purpose of permitting oil and gas leasing and development so that the Forest Service would have the information to make an intelligent recommendation to Congress as to whether these further planning areas should go into the wilderness system. S. 2801 would preclude the opportunity for the Forest Service to make an intelligent recommendation to Congress.

I have a favorite Christmas carol, Good King Wenceslas, which I have included in my testimony, and it tells the story of a woodcutter who lived next to the gate of the King's forest, but because the King's forest is closed to him, the woodcutter has to spend long hours in the cold far from home gathering wood. The good King, rather than opening the King's forest, put the woodcutter on the dole.

S. 2801, together with other single-purpose and dominant-use legislation, without consideration of the minerals, will create so many King's forests for the benefit of a small percentage of the American public that the domestic oil and gas industry will have to spend the larger part of its exploration efforts in foreign countries or in domestic areas not having the potential of the land in the King's forest.

Thank you.

[The prepared statement of Mr. C. Peterson follows:]

I am Mr. C. M., "Pete" Peterson of Morrison, Colorado. I practice law in Denver, Colorado. The majority of my practice is concerned with federal land law matters.

I am concerned about S. 2801 because it is based on some irresponsible and illogical concepts relative to land use planning as applied to federal lands.

Anyone who takes the time to think about land use planning legislation, such as S. 2801, will know that minerals, oil and gas or other energy sources are where you find them. They were deposited in the earth millions of years ago without regard to the resulting and present surface values of the lands. The same geologic processes which created the surface values of the Rocky Mountains or the Appalachian Mountains resulted in the deposition of minerals or the entrapment of oil and gas deposits within these areas.

Based on experience, we all know that only a small percentage of the land area contains commercial oil and gas deposits. Wyoming, the principal Rocky Mountain oil producing state, contains some 62 million acres. In over 100 years of oil exploration in that state some 2.2 million acres have proved to be productive of oil and gas, or 3.5% of the total state. Presently, Idaho has no oil and gas production. Montana contains some 93 million acres, with only 850,000 acres proved productive, less than 1% of the total state area. Colorado contains some 66 million acres and some 1.1 million acres have proved productive, or 1.7%.^{1/}

All of the various studies or projections of total U.S. undiscovered reserves of oil and gas are based on the logical conclusion that only a very small percentage of the total lands in the U.S. contain those oil and gas deposits.

^{1/} The Oil Producing Industry In Your State, 1981 Edition, Independent Petroleum Association of America.

I believe that you would all agree that it would be illogical and counter-productive to zone lands for mineral development if the zoned land does not contain that small percentage of the lands that do contain mineral or oil and gas. This is true whether the zoning is achieved through designation of areas for mineral development, or results indirectly by prohibiting mineral development in vast areas. S. 2801 is a good example of the irresponsible process of zoning for mineral development through exclusion of lands from mineral exploration and development. It is more so because it is being done without any real knowledge or even a realistic attempt to obtain knowledge of the mineral values of the lands being closed to the American public.^{2/}

When you are dealing with zoning for surface uses, such as residential, commercial, industrial or recreation areas, you have a relatively good idea of conflicting surface land values and potential, and therefore, the costs of the trade-offs of using lands for one purpose rather than another. When you are dealing with zoning for the mineral or oil and gas industry, through exclusions of areas from mineral operations, you normally don't know what the mineral values are to make an informed decision as to the economic cost of that exclusion.

Congress has recognized these problems in the past. When Congress passed the Wilderness Act of 1964 it was faced with the fact that it was withdrawing some 9 million acres of the public lands on which it had little or no knowledge of the mineral potential. Rather than immediately closing the lands, it provided they would remain open for mineral leasing and mineral location for 20 years. Congress was aware that only a small percentage of that land would be

^{2/} See: Mineral Data In the Forest Service's Roadless Area Review and Evaluation (RARE II) Is Misleading and Should be Corrected. Report by the Comptroller General of the United States, EMD 82-89, February 4, 1982.

affected by resulting mineral discoveries. Unfortunately, because of environmentalist opposition, overly restrictive regulations and bureaucratic opposition the mineral leasing provisions have been ignored for almost 19 years.

When Congress passed the Federal Land Policy and Management Act of 1976, it provided for the inventory of the public lands administered by the Bureau of Land Management for recommendation to Congress for possible designations as part of the National Wilderness System. Congress did not close the lands being studied to mineral leasing and location but provided for the continued opportunity for industry to determine the mineral potential, so that that factor could also be a part of a reasoned decision by Congress on wilderness designation. Unfortunately, this section of FLPMA is also being administered so restrictively, and being opposed and delayed by environmental groups, law suits, that there may not be a realistic opportunity for industry to explore for and develop minerals as these study areas. When Congress is faced with the problems of determining which Bureau of Land Management lands will be included in the National Wilderness System, I believe it will have as little knowledge of the mineral potential of most of these lands as it does today.

The RARE I and RARE II programs by the Forest Service, identified Forest Service lands having potential for wilderness designation by Congress and attempted to balance the need for commodity output, such as timber, grazing, and general recreation uses against wilderness use. Unfortunately, as the GAO study, cited above points out, the data on mineral potential was inadequate, inaccurate, and misleading. S. 2801 would close, to mineral leasing, some 22 million acres of National Forest lands presently in the National Wilderness System, some 9.9 million acres which were administratively recommended for wilderness designation, and some 7.6 million acres recommended for further planning in the RARE II program without adequate knowledge of the mineral potential being denied to the American public.

In the process of zoning the public lands for mineral development by exclusion of lands, you not only have to exclude the single purpose wilderness areas, but also the impact of all of the other single use, or dominant use classifications which close the public lands to mineral leasing. Each of these restricted use designations serves a beneficial and public purpose whether for wilderness, fish and wildlife protection, wild and scenic rivers, protection of watersheds, clean air, endangered species protection, historic trails, scenic views, wild horses, etc. Each of these values has a group of dedicated supporters who only ask for a small percentage of the public lands. Cumulatively, they constitute a new prohibitionist party. S. 2801 and other single use and dominant use legislation will have a far greater adverse impact on our nation than did the social experiment of the prohibitionists of another era.

There are a great number of studies of withdrawals of the public lands which generally concede that about 50% of the public lands are withdrawn from mineral leasing or on which mineral leasing is severely restricted. However, those studies normally only take into consideration formal Congressional or Executive withdrawals. They do not consider the many administrative actions in connection with land use planning or environmental studies which also result in closure or severe restrictions on mineral leasing on the public lands. Land use planning by the Forest Service under the Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976, or the Bureau of Land Management under the Federal Land Planning and Management Act of 1976 continues to result in further closure of public lands for single or dominant use purposes. For example, I recently reviewed the Environmental Assessment on Oil and Gas and Geothermal leasing for the Winnemucca District, BLM (1982), in Nevada. It didn't formally withdraw any lands from oil and gas leasing but it did close a 97,000 acre area to surface occupancy to protect the viewshed from the ruts remaining in a

segment of the Applegate-Lawson trail, the practical effect of which was to close the 97,000 acres to oil and gas leasing. The Environmental Assessment, Sleeping Grant Land Exchange, BLM and State of Montana, April 1979, had the effect of closing the area of 11,000 acres to mineral leasing to protect viewshead wildlife and recreation values. Such protection of historic trails, viewsheads, wildlife, recreation areas is commendable. But the net impact is that more and more of the public lands are being withdrawn by Congress and administrative action in land use planning for single purpose use or dominant purpose use without consideration of the total impact on mineral production or even the opportunity to determine if the area has a high potential for mineral production.

I believe the most illogical portion of S. 2801 is that section which would close further planning areas to mineral leasing. These areas were identified by the Forest Service in the RARE II process as having both wilderness potential and high potential for mineral production. The Forest Service determined that before it could make an intelligent recommendation on the wilderness designation it needed more information on the mineral values of the areas. It provided for carefully controlled leasing, exploration and drilling in these areas. S. 2801 would close further planning areas, at a minimum until one year after formal approval and implementation of the initial forest plan. The bill would frustrate the entire purpose of establishing further planning areas. Most of the further planning areas were restricted from leasing for approximately 10 years during the RARE I and RARE II processes. Many of them do have high potential for oil and gas production. S. 2801 would prevent the opportunity to gain any further knowledge. I do not believe that it would simply delay the opportunity . . . it would prevent it forever.

S. 2801 also contains some illusions. First is the illusion that the limited provisions for prospecting and inventories will result in a meaningful

geologic evaluation of the area. They simply will not. Further, it is difficult to see why the Federal government should, with current budget restrictions, expend money on oil and gas exploration which industry would like to conduct on the public lands.

The second illusion is that the provisions for opening of specific areas where there is an urgent national need is somehow a compromise for present closure of the land and would be of benefit to the nation in urgent national need. It simply ignores the fact that there is an extended period between the decision to lease and significant production from a newly discovered field. It is necessary to go through the leasing process, geological and geophysical investigation, the drilling of one or more wildcat wells, and subsequent field development. In most of the Overthrust Belt you would be looking at a period of five years. On the other hand, you may end up with nothing but dry holes and the urgent national need will not be fulfilled.

There is another irresponsible concept by some land use planners, and that is that they have fulfilled their obligation to consider the mineral potential of an area simply by giving legal access to the land. Access must also be economic. Stipulations and restrictions on access must not be so stringent that there will be no economic benefit to the lessee from the legal access. Further, access must be sufficiently certain to justify the tremendous risks in oil and gas exploration.

In summary, minerals are where you find them. It is irresponsible land use planning to zone lands for mineral development by prohibiting oil and gas exploration and development in large areas either individually or cumulatively without knowledge of their mineral values. It is irresponsible to close lands in further planning areas having a higher mineral potential factor without an

adequate and realistic opportunity to evaluate that mineral potential. Land use planning invariably seems to protect known surface values over mineral potential without consideration of the long term impact the resulting withdrawals will have on our nation's need for energy, minerals, and the resulting impacts on our nation's economic and security needs.

I have a favorite Christmas carol, Good King Wenceslas, which I have included in this written Statement. It tells the story of a poor woodcutter who lives next to the gate of the King's forest, but because the King's forest is closed to him, he must spend long hours in the cold far from home gathering wood. The good King, rather than opening the King's forest, put the woodcutter on the dole.

S. 2801, together with other single use or dominant use legislation, will create so many Kings' forests for the benefit of a small percentage of the American public that the domestic oil and gas industry will have to spend a larger percentage of its exploration efforts in foreign countries, or in domestic areas not having the potential of the lands in the Kings' forests.

GOOD KING WENCESLAS

Good King Wenceslas looked out, On the feast
of Stephen,
When the snow lay round about, Deep and crisp
and even;
Brightly shone the moon that night, Though the
frost was cruel,
When a poor man came in sight, Gath'ring
winter fuel.

'Hither, page, and stand by me,
If thou know'st it, telling,
Yonder peasant, who is he? Where and
what his dwelling?'
'Sire, he lives a good league hence,
Underneath the mountain,
Right against the forest fence, By
St. Agnes' fountain.'

'Bring me flesh and bring me wine,
Bring me pine logs hither:
Thou and I will see him dine, When we
bear them thither.'
Page and monarch, forth they went,
Forth they went together
Through the rude wind's wild lament
And the bitter weather.

Senator WALLOP. Thank you.

Mr. Wolgast?

We will do that, and we will proceed until the five bells ring.

STATEMENT OF RICHARD A. WOLGAST, LAND MANAGER, ROCKY MOUNTAIN REGION, PHILLIPS PETROLEUM CO.

Mr. WOLGAST. Mr. Chairman, my name is Dick Wolgast, and I am the land manager for the Rocky Mountain region for Phillips Petroleum Co. located in Denver, Colo.

I am pleased to have the opportunity to testify before this subcommittee on behalf of Phillips on S. 2801, the Wilderness Protection Act of 1982.

Phillips Petroleum Co. is headquartered in Bartlesville, Okla. We are an integrated energy company engaged in petroleum exploration and production on a worldwide basis and petroleum refining and marketing in the United States.

The Phillips Petroleum Co. recognizes the need to foster a balanced approach to public land management. Public policy, however, must consider the costs as well as the benefits of environmental protection and the sound development of our natural resources.

We believe that S. 2801, the legislation now before the committee, fails to reach this goal, and we oppose the enactment of the bill.

Our primary objection is based on the fact that S. 2801 withdraws about 37 million acres of Federal lands from mineral leasing before there is any opportunity to assess the mineral resources of these lands. In essence, we are declaring off limits from oil and gas exploration and production unknown acres of potential valuable resources. When added to the current amount of formal land withdrawals, this represents approximately a 75-percent increase in land withdrawn from mineral leasing.

We believe the policy of foreclosing this Nation's potential energy resources is extremely shortsighted, particularly at a time when the United States imported over one third of its total petroleum needs, at a cost of \$76.6 billion. Clearly the Nation needs a dependable source of domestic energy.

The energy industry of this country has the capability to aid the current situation, if we are permitted access to these areas, and we believe that this can be done in a manner that will result in no permanent impairment to the lands identified in S. 2801.

The petroleum industry has demonstrated its ability to operate in sensitive environments. For example, Phillips has operated its West Bridger Lake Field in Wasatch-Cache National Forest, Utah, since the mid-1960's, an area populated by deer, elk, antelope, et cetera, with no harm to the environment or the animals. The Forest Service and the Fish and Game people have had no complaints.

In the last 2 years we have drilled eight wells in the desert country of Arizona with no harm to the endangered species of cacti. We have avoided them by removing them to a cacti garden away from our well locations during our operations. After restoring our drill sites, they were replaced in their original locations. Incidentally,

for our last six strategic holes, this cacti operation cost us over a hundred thousand dollars.

In our takeup unit in Idaho in the Caribou National Forest, we recently plugged a 16,000-foot hole drilled adjacent to a partially restricted elk range and calving area with no apparent impact on the elk. We have noted game trails within a quarter mile of the rig continue to be used by deer and elk and have observed deer crossing the drilling site location with no apparent fear. They just seemed curious to see what was going on.

Furthermore, although there are provisions to open the withdrawn lands if an emergency occurs, oil and gas resources located in these areas cannot be utilized to respond to a national crisis because of the long leadtimes for oil and gas development, sometimes up to 10 years.

We believe it is, therefore, unrealistic to maintain that mineral development in these areas could in any timely way respond to an emergency. Phillips Petroleum Co. believes that the Nation can have both wise energy production with environmental protection and sound conservation of our natural resources. However, we do not believe that this legislation achieves this goal.

Again, we appreciate the opportunity to testify today, and we will be happy to attempt to answer any questions the subcommittee may have. Thank you.

[The prepared statement of Mr. Wolgast follows:]

Testimony of
R. A. WOLGAST
Land Manager, Rocky Mountain Region
PHILLIPS PETROLEUM COMPANY
before the
Senate
Subcommittee on Public Lands and Reserved Water
of the
Energy and Natural Resources Committee
September 23, 1982

Mr. Chairman, my name is R. A. Wolgast, and I am the Land Manager for the Rocky Mountain Region for Phillips Petroleum Company located in Denver, Colorado. I am pleased to have the opportunity to testify before this committee on behalf of Phillips on S.2801, the "Wilderness Protection Act of 1982."

Phillips Petroleum Company is headquartered in Bartlesville, Oklahoma, where it was founded in 1917. Phillips is an integrated energy company engaged in petroleum exploration and production on a worldwide basis and petroleum refining and marketing in the United States. The Company also produces and distributes chemicals worldwide. The Company has five operating groups-Exploration and Production, Gas and Gas Liquids, Minerals, Petroleum Products and Chemicals.

The Company's search for new petroleum reserves is concentrated in the United States, Western Europe, the Far East and West Africa. In 1981 Phillips drilled or participated in 139 exploratory wells worldwide, of which 61 were discoveries. Principal discoveries in the U.S. were in the Santa Barbara Channel of California, the Williston Basin in Montana, the Powder River Basin in Wyoming and the Austin Chalk Trend in Texas. The Company has continued drilling in all of these areas in 1982.

Mr. Chairman, Phillips Petroleum Company recognizes the need to foster a balanced approach to public land management. Public policy, however, must consider the costs, as well as the benefits, of environmental protection and the sound development of our natural resources. We believe that S.2801, the legislation now before the Committee, fails to reach this goal. For this reason, we oppose enactment of the bill.

Our primary objection is based on the fact that S.2801 withdraws about 37 million acres of federal lands from mineral leasing before there is any opportunity to assess the mineral resources of these lands. In essence, we are declaring off-limits from oil and gas exploration and production unknown acres of potentially very valuable resources. Based on recent Department of the Interior land statistics, S.2801, if enacted would increase the formal federal land withdrawals in this country by approximately 75%. I know that the members of this Committee have heard numerous statistics about what may or may not be found within these wilderness and wilderness study areas. But let me re-emphasize what I'm sure my colleagues from within our industry have said to you: A policy of closing off our knowledge about this Nation's energy resource base is extremely short-sighted. This is particularly so when, even though import levels have declined, the United States still imported over one-third of its total petroleum needs at a cost of \$76.7 billion last year. We believe that the domestic energy industry of this country has the capability to both improve our understanding about America's energy potential and to lessen our vulnerability to supply interruptions - if we are permitted access to the areas.

Those advocating complete withdrawal of these areas are incorrectly assuming that energy exploration and production are incompatible with sensitive environments. We believe, however, that oil and gas exploration and production will result in no permanent impairment to the lands identified in S.2801. This is because current petroleum operations and surface management regulations ensure that oil and gas exploration and production will not result in significant or long-term adverse impacts. Moreover, the petroleum industry has demonstrated many times its ability to operate in sensitive environments. In Phillips' case,

for example, our oil and gas activity within the West Bridger Lake Field in the Wasatch-Cache National Forest, Utah, operates successfully in an area sensitive for fish and game habitat. This area possesses steep slopes and streams and borders the Lone Peak Wilderness Area.

Let me also add that oil and gas deposits are not found in equal proportions in all areas or regions of the country. Wilderness areas are virtually unexplored and therefore no meaningful assessment of their energy potential can be made until we can explore their potential. We just don't know their true energy value. The mineral surveys authorized by this bill will not yield sufficient information on energy resources. The use of explosives is still the preferred and the most reliable method for determining the prospects for oil and gas deposits, but the only sure way known today to detect the presence of oil and gas is by drilling. And lead time for oil and gas exploration and development can range up to ten years before enough data is accumulated to determine that a particular area truly has oil and gas potential and the equipment put in place to recover the source. Therefore, including provisions in this legislation that allow for emergency energy development in a time of "urgent national need" only results in a false sense of security. During such a crisis, we could not rely on development of any energy resources within these withdrawn lands because it simply will take us too long to search, find, and produce what we need. Such a policy is no compromise to development within these lands, as some may state.

It is particularly troublesome to those of us in the industry who are directly involved in the search for oil and gas to see legislation enacted that bars oil and gas activity in areas under study or in fact not to be

suitable for wilderness preservation. It is illogical and just bad policy to keep these areas out of bounds from mineral activity, precluding a meaningful evaluation of all the resources that might be made available to the American people. We, therefore, strongly believe that any reasonable solution to the controversy of mineral leasing in the National Wilderness Preservation System must include statutory national "release language" for areas found to be unsuitable as wilderness. The uncertainty and delay caused by continuous wilderness study in the U.S. Forest Service planning process must end; RARE II should be considered as fulfilling the requirements of the National Forest Management Act pertaining to wilderness assessments of national forest lands. And, to eliminate the ongoing litigation that further delays final action on these lands, the legal and factual sufficiency of the RARE II Final Environmental Impact Statement needs to be validated by legislation. Any legislative program that falls short of these steps only continues the uncertainty surrounding these areas, and further inhibits the ability of the domestic petroleum industry to look for future energy supplies here at home.

In conclusion, it seems to us that a resolution of the wilderness question should be based first on a better understanding of the public's resources - to the extent practicable and within strict environmental parameters, more data on what's out there is needed. Second, the Congress should foster a balanced approach to resource conservation and development that recognizes the compatibility of both objectives. Third, lands not subsequently classified as wilderness should be promptly returned to multiple-use management and made available for other uses, including oil and gas exploration and development. Future wilderness reviews beyond those embodied in this bill should not be authorized.

We at Phillips believe that we can have both wise energy production with environmental protection and sound conservation of our natural resources. As I've stated, we don't believe this particular legislation serves the public interest and we urge the Committee not to pass S.2801.

Thank you.

Senator WALLOP. Thank you, Mr. Wolgast. I would just like to ask Mr. Cummings how that volume that was projected of projected oil and gas reserves compares with the estimated reserves of the country say 5 years ago before that major play began in the overthrust.

Mr. CUMMINGS. Going back say, let's go back to about 1970 when the whole western United States as far as the reserve estimates were concerned were published for future petroleum potential of the United States, the area that we considered to be say the hinge line-overthrust belt contained as far as the USGS was concerned some 200 million barrels of recoverable oil, and 500 billion cubic feet of gas. We have more than that in just one small field.

The most recent estimates as far as the USGS is concerned—I am trying to pull this out of my memory from talking to Dick Powers at USGS. This is where I get my reserve figures for what has been found so far. In the southwestern part of Wyoming I think the future planning is some 85 billion barrels of oil for the United States. I think it should be a lot higher than that. Of course, I am extremely optimistic about it, sir.

Senator WALLOP. You think roughly a third of that total figure would be in the Overthrust Belt alone?

Mr. CUMMINGS. Yes, sir.

Senator WALLOP. Without looking to the offshore?

Mr. CUMMINGS. If you look at the long sinuous line of the Overthrust Belt, we are talking about rock that is from back in the Paleozoic time. This is when our big major reserves were being formed. I would go ahead and project it as being just another gulf coast. We can see the gulf coast today. Three, four hundred million years ago we had the gulf coast out there going from Wyoming through Montana, Nevada, Utah, things of this nature. This is where we have the hinge line. This is where we have reserves that are deposited. We have sand trends, beach sand, pinchout, and things of that nature when you have the large structure, whereas in other portions say just in the Rocky Mountains itself, like the Powder River basin which you are familiar with, you might be looking at something like 20 feet of claylike sand. In the Thrust Belt we are looking at a column of maybe 5,000 feet that is capable of production, so all of these things considered, I think we are very underoptimistic on the reserve figures that we have stated so far.

Senator WALLOP. Thank you. I think we better run along.

Senator MELCHER. I want to ask Mr. Wolgast a question. Phillips has quite a bit of, I don't know whether to use the term "substantial," but some considerable acreage under lease that is private or Forest Service or State, nothing to do with wilderness, in Montana and the mountainous area of the Rocky Mountain area.

When can we expect you to spud in a well?

Mr. WOLGAST. When we finish our seismic work and other exploration.

Senator MELCHER. Aren't some of your leases 5-year leases?

Mr. WOLGAST. Yes, sir.

Senator MELCHER. Isn't it about due?

Mr. WOLGAST. We are working our way. We have drilled two in Idaho now.

Senator WALLOP. There is one thing about it. The folks who have those kinds of territory are frequently more delighted by the fact that they haven't drilled than that they have. That rental payment and that recycling is pretty nice rent.

I want to put into the record the letter and the statement by Governor Herschler of Wyoming and a letter just received from Secretary Watt, a copy of a letter I received from Secretary Watt to Chairman Hatfield of the Senate Appropriations Committee which says in effect:

Dear MARK: It has come to my attention that there is in Congress still a question as to my sincerity regarding the moratorium I imposed on leasing wilderness areas. Frankly, I am astounded these people for whatever reasons I can only guess continue to spread false rumors about what I am or am not going to do. Therefore, I strongly urge your Committee in deliberations this morning on the continuing resolution to assure legislatively that there can be no leasing in congressionally mandated wilderness areas for the period covered by the resolution. This additional period will hopefully allow the Congress to act on our suggestions for a permanent solution to this initiative. Thank you for your consideration of this request.

Sincerely,

JAMES WATT.

[The letters and statement follow:]

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., September 23, 1982.

Hon. MARK O. HATFIELD,
Chairman, Committee on Appropriations,
U.S. Senate, Washington, D.C.

DEAR MARK: It has come to my attention that there are those in Congress who still question my sincerity regarding the moratorium I imposed on leasing in wilderness areas. Frankly, I am astounded that these people, for what reasons I can only guess, continue to spread false rumors about what I am or am not going to do.

Therefore, I strongly urge your Committee in deliberations this morning on the Continuing Resolution, to assure legislatively that there can be no leasing in Congressionally designated wilderness areas for the period covered by the Resolution. This additional period will hopefully allow the Congress to act on our suggestions for a permanent solution to this vexing issue.

Thank you for your consideration of this request.

Sincerely,

JAMES G. WATT,
Secretary.

WYOMING EXECUTIVE DEPARTMENT,
Cheyenne, Wyo., September 21, 1982.

Hon. MALCOLM WALLOP,
Russell Building,
Washington, D.C.

DEAR SENATOR WALLOP: I would appreciate you entering into the record, my enclosed statement regarding Senator Henry Jackson's Wilderness Protection Act of 1982 (S 2801).

The statement is consistent with my previous statements concerning the withdrawal of wilderness areas from leasing and supports Senator Jackson's withdrawal concept.

Thank you for your time and effort.

Yours sincerely,

ED HERSCHLER,
Governor.

STATEMENT OF HON. ED HERSCHLER, GOVERNOR, STATE OF WYOMING

Mr. Chairman and Subcommittee members. I would like to express my support for Senator Henry Jackson's Wilderness Protection Act 1982 (S 2801). According to the proposed legislation, the areas recommended to Congress for designation as wil-

derness, wilderness study areas and further planning would be temporarily withdrawn for leasing. The bill also provides for mineral inventories of withdrawn areas, revocation or withdrawals in the case of urgent national need, protection of valid existing rights, and for leasing under wilderness if exploration and extraction is below the surface and is accomplished from outside the wilderness. This legislation is extremely important if the nation is to maintain a proper balance within our national wildernesses and to insure the integrity of that system.

In support of the national withdrawal approach, an identical measure passed the house of August 12 by a vote of 340 to 58. Throughout the Wyoming Wilderness Act hearings this past spring, overwhelming support was given to withdrawing all wilderness areas from any oil and gas or mineral development. I feel that Senator Jackson's bill achieves the public demand for withdrawal.

It is my understanding, if Congress does not approve wilderness withdrawal legislation, 43 wilderness areas will be ready for leasing in the first three months of 1983, and 171 by the end of 1983. In Wyoming alone, there is more than 25 million acres of prospectively valuable oil and gas lands under Federal management. Of this acreage, only four percent is formally or administratively withdrawn, while another seven percent is potentially restricted due to actual wilderness designation or active consideration, obviously, there is ample opportunity to direct oil and gas development towards less sensitive areas. Congress is now considering Wyoming wilderness legislation, but if the Wyoming bill is not approved, Wyoming could be faced with several controversial leasing issues similar to the Getty oil lease within the Little Granite Creek area of the proposed Gro Ventre wilderness area. Under the existing laws, regulations, secretarial orders, and other Federal mandates, the time money spent in trying to resolve leasing problems such as little Granite Creek areas is exorbitant. The Jackson bill provides a clear directive to the present and future resolution of the wilderness in withdrawal issue.

I strongly urge the subcommittee to act favorably on the 1982 Wilderness Protection Act (S 2801), without this legislation the nation will be faced with the very costly alternatives of continuing administrative confrontations and legal battles over the leasing of wilderness areas.

Senator WALLOP. I will have the committee stand in recess until 1 o'clock. If I cannot find a replacement I must unfortunately tell the subsequent witnesses that we are going to have to drop it down to 2 minutes in order to get all witnesses heard this afternoon.

I regret that, and I am looking for a substitute chairman for a period of time. If I can, we will go back immediately to the longer area, so we will stand in recess until 1.

[Whereupon, at 12:10 p.m., the hearing was recessed, to reconvene at 1 p.m. the same day.]

AFTERNOON SESSION

Senator WALLOP. We will proceed to hear witness Mr. Alfred Voelker, research staff, MBR, Resource Analysis Group, Oak Ridge National Laboratories, Oak Ridge, Tenn.

He is accompanied by Mr. Edward Oakes, staff geologist, the Oak Ridge National Laboratories.

I have not been able to find out whether I can get a substitute, and I am still looking, so we will start you with 4 minutes and I am just going to lower it as we go in order that everybody may have a chance to testify.

Mr. VOELKER. OK. Ed and I will share this here inasmuch as I will say something to introduce it, I will hand it to him, and then he will give it back to me. I will give some conclusions. We think that is the fastest way of getting through this.

**STATEMENT OF ALFRED H. VOELKER, RESEARCH STAFF, MBR,
RESOURCE ANALYSIS GROUP, OAK RIDGE NATIONAL LABORATORIES,
ACCOMPANIED BY EDWARD OAKES, STAFF GEOLOGIST,
OAK RIDGE NATIONAL LABORATORIES**

Mr. VOELKER. We have now for the last 4 years been assessing the wilderness values—I'm sorry—the resource values of the proposed wilderness areas for the RARE II and now for BLM. In fact, we now have looked at 160 wilderness areas and so we have a considerable body of experience in these kinds of areas, and in the process of doing this work, we have felt obligated and felt it an absolute necessity to look at the larger picture, look at the background in which these wilderness areas appear because we have to ultimately make a judgment about the overall importance of individual areas, so as a result, it has been necessary for us then to make some estimates about resource potential, some estimates about Federal land availability that we are going to talk about now, and we have also at the same time looked at the patterns of wilderness areas, and how they compare then with the favorable areas for resources, so we have looked at that coincidence, and our conclusions are in general that there really isn't as much coincidence as the industry and others would have us believe, that a large percentage of these wilderness areas actually appear in non-favorable areas.

We can support that in many other ways. There are individual studies, and that is in the testimony, and I think at this time then I would like to turn the microphone over to Ed Oakes and let him make I think three points that will be most significant.

Mr. OAKES. I would like to say first that we in our work so far, we have been responsible for making estimates of oil and gas potential in wilderness areas, but we didn't for this hearing. These calculations are very, very simple.

We have heard from other witnesses earlier that 3, 4, 5 percent of the oil and gas resources are potentially within wilderness areas. Anybody can do that, come up with those estimates. We have gone through the same thing based on figures from the U. S. Geological Survey and others. This is a 1981 report—the same thing. What we come up with is about 3 percent of the undiscovered recoverable oil could be attributed to the existing wilderness system, and this includes some potential wilderness areas and proposed wilderness areas, a system for 105 million acres. That is what we based it on.

In terms of undiscovered gas resource, we came up with about 2 percent. The question always comes up, though, is that significant or not? Is 2 or 3 percent significant to the Nation? And the answer is you can't answer that. First of all, let me just take oil as an example, 3 percent are undiscovered oil mean estimates, 3 percent total, about 2.5 billion barrels of oil. Is that significant? Well, yes, it is significant. It sure is. If it is in five giant fields, it is very significant. If it is in five fields, each one containing 500 million barrels of oil, yes, that is very significant. If it is in 500 fields, each field containing only 5 million barrels of oil, it is not nearly as significant. Why? Because you have to put in so many resources to find that many fields, and we talk a little bit about giant fields in terms of the economy of the country, to strengthen the country.

I won't go into that, but even if you assume that there is a giant field somewhere lurking under one of these existing wilderness areas, say 500 million barrels. If you assume, if you also got to assume that there are many, many giant fields outside of the wilderness areas, from our standpoint anyway the problem then becomes one of whether there is enough land available outside wilderness to explore for these very large accumulations of oil and gas.

We have looked into that also, and we have come up with that report in the back, and we can certainly make it available to you. It is just about out from Oak Ridge National Laboratories. We have probably about a month or so. What we have found, and this is just the Western United States, the 11 Western States, we have found that the land available for exploration—this is talking about leasing; we looked at locabeable minerals also—but the land available now with normal restrictions that are normally imposed on a lease, it is somewhere on the order of about 56 percent of that land is available. About 44 percent is not available, and of course, we can talk about that all day, about these figures.

The important thing, though, is that over the next 10 years we believe that the land available in the Western United States would increase. There will be more land available for exploration, and that is because the land use programs that were implemented in the early 1970's—

Senator WALLOP. Let me just interpose a question here because the same thing you have said about potential wilderness ought to prevail in areas outside the wilderness if you are only talking about major fields, giant fields. If the land outside wilderness areas is of the same nature that you are talking about, aren't we talking about the same wasted resources? I mean that narrows the issue considerably.

Mr. OAKES. I wouldn't put it in terms of wasted resources.

Senator WALLOP. I think that is the term in which you did put it. If you are talking about the 500 fields, each with a million barrels, or one field with 500 million barrels, I believe your statement was that it is an enormous waste of resources to go after.

Mr. OAKES. I didn't say it was an enormous waste of resources. What I said was if you believe that there are some giant fields within some existing wilderness areas, then you also have got to assume that there are many, many giant fields or large fields or moderate sized fields outside of existing wilderness areas. Why? Because the acreage is much, much larger, much, much greater, so the question then becomes is there enough land available outside these wilderness areas to explore for these fields? And what we have found is that probably in the Eastern United States onshore now, is that about 56 percent of that land is available, and by 1990 about 70 percent is projected to be available so it will be—

Senator WALLOP. How do you get to that projection when we are going in the other direction?

Mr. OAKES. That is a very interesting question, and what we find is that the major land use programs—these are the programs that are responsible for if you want to call it tying up much of the land in the Federal lands now that we are talking about—these programs are coming to an end.

A number of people have talked about that the land has been, the further planning areas, some of the areas, they have been recommended for nonwilderness, the RARE II areas. We have included those in the category of effectively closed in our tabulations. We feel by 1990, though, that these, through the normal land use planning process, these lands will by and large become available for exploration.

Mr. VOELKER. So we are talking about a wilderness review process that is progressing at the present time, possible revocation procedures that are underway—

Senator WALLOP. That is not the trend that is in place. The trend is toward withdrawing more than releasing, and witness what we are doing here.

Mr. OAKES. We are talking about trend over 10 years.

Senator WALLOP. Over 10 years; it depends on how it is established now, how it is going to continue.

Mr. VOELKER. We have looked very carefully at those numbers, and our report has extensive tables, and all the assumptions are there and all of the trends are there, and we find something very different than what you have found.

Certainly it is true that there has been this ever-increasing withdrawal, and that has been going on some time. What we find is this is leveling off, and it will reverse itself.

Senator WALLOP. You have heard the testimony of the Wilderness Society, the Sierra Club, and the Audubon Society in which they sought to expand this to the BLM study recommended and withdrawal areas, so I mean the trend is not that direction. It is the opposite, and if they do extend it to those, and the Congress goes along with it, what you are saying is—but I mean, the pressure, you are all basing your assumptions on what Congress is going to do.

Mr. VOELKER. Let us say that our work has been reviewed by the members of the administration, by a number of very knowledgeable people in this area, and our basic conclusions haven't been challenged.

Well, there were some differences of opinion about the numbers, and we made a number of corrections and increased our estimates somewhat, but I don't think we have any real fundamental differences of opinion as to the trend and the magnitude of these numbers.

Senator WALLOP. You heard Mr. Cummings' testimony as to what he anticipated would be a reasonable projection within the Overthrust Belt area, a substantial proportion of which are in these further planning recommended for designated wilderness areas.

Mr. OAKES. I would like to answer that. I don't know if it is a question or not. There is one problem, one big problem. When people talk about the Overthrust Belt it is very unclear exactly what they are talking about. If you talk about the western Wyoming Overthrust Belt, that formally includes southeastern Idaho and northern Utah, that is the productive part of the Overthrust, and of course it is productive up in Canada also. Whether the Overthrust Belt continues down from southern Nevada into Arizona is speculation. We don't even know if the Overthrust Belt is

there. Whether it is part of the Overthrust Belt we don't even know.

Senator WALLOP. It is Canada and Wyoming and there is reasonable assumption—

Mr. OAKES. That it extends down southward from Wyoming.

Senator WALLOP. Also a reasonable assumption is it extends northward.

Mr. OAKES. It does. There is no question about that. We don't know what happens in the Snake Plain. We don't know what happens to it in southern Nevada. There are a lot of question marks.

Senator WALLOP. And we won't know if we withdraw those lands.

Mr. OAKES. There aren't many lands that could be withdrawn there. There are not many wilderness areas in the Thrust Belt that I am talking about now. I am talking about the Thrust Belt that extends from the Canadian border down through southern Nevada. If you want to extend it into southern Arizona, that's fine. There is not many wilderness areas in the Thrust Belt, and you said there are some figures from the Department of Agriculture about that, and I urge you to—

Senator WALLOP. And BLM.

Mr. VOELKER. If I could say something about that, we also were very concerned about what area constitutes the Thrust Belt because that is a point of contention, so we actually employed a geologist as a consultant who is now with one of the leading exploration geologists, and he helped us to define the Overthrust, and so we were very careful about that. We tried to do a credible job in terms of our view of the Overthrust and what it consists of.

Senator WALLOP. Let me ask you to finish. I'm sorry to interrupt.

Mr. OAKES. We probably get a lot more done that way. I think I will turn it over to Al now because our conclusions again were that the trend in lands in the Western States now—I stress that I am not talking about Alaska. There is a lot of debate about Alaska, but the trend in the Western United States as we have found out anyway is that over the next 10 years that the land development will increase.

Mr. VOELKER. I am going to read a couple of conclusions here. That will be the fastest way to do this. In our experience, in our findings, we have maintained that the oil and gas potential of wilderness areas is not greater on the average than the resource potential of nonwilderness areas, which seems to us to be a rather significant point. It is not often brought out in these kind of discussions.

Lands in the wilderness system are estimated to contain about 3 percent of the undiscovered oil, 2 percent of the undiscovered gas resources of the Nation.

At the present time, about 44 percent of the western Federal land is estimated to be highly restricted for thorough and economic mineral exploration and development. However, during the next 10 years, the availability of these lands for leasing will increase to about 70 percent from the current figure of 56 percent as we indicated earlier through the review programs in place, and because of the increasing availability of western Federal lands during the next 10 years, and because large acreages of virtually unexplored Federal and non-Federal land exist in the west and elsewhere, we

see little justification for allowing mineral activity in existing wilderness areas.

In regard to oil and gas, large acreages of Federal offshore lands will probably also become available during the next few years, and to us that is another very significant point in these arguments. These lands total approximately 760 million acres and are estimated by USGS to contain 34 percent of the Nation's total undiscovered oil resources and 28 percent of the undiscovered gas resources, and of course, what we are saying is there is no wilderness offshore, and yet we have this tremendous potential offshore so that we believe that the current mineral review process for potential wilderness areas adequately protects most areas that have high mineral resource potential from being included in wilderness. This process should be fully supported over the next 10 years.

[The prepared statement of Mr. Voelker and Mr. Oakes follows:]

JOINT STATEMENT OF ALFRED H. VOELKER, OAK RIDGE NATIONAL LABORATORY
AND EDWARD H. OAKES, SCIENCE APPLICATIONS, INC.,
BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATERS,
SEPTEMBER 23, 1982

Mr. Chairman, members of the subcommittee, we appreciate this opportunity to testify on the oil and gas potential of existing and proposed wilderness areas. For the past four years we have developed and used a method to evaluate the energy-resource potential of Wilderness Study Areas administered by the Bureau of Land Management (BLM) and by the U.S. Forest Service. This work has been funded by the U.S. Department of Energy. Our testimony today, however, does not necessarily represent the views of our sponsor or the views of the organizations for which we work. Much of this testimony was presented on February 9, 1982 before the House Subcommittee on Public Lands and Parks.

The primary emphasis of our work has been the energy-resource evaluation of potential Wilderness areas. During the course of this work, however, we have also found it necessary to study broader issues that relate to existing Wilderness areas. Based on our understanding of the questions before the subcommittee, we will therefore discuss the following topics: (1) mineral-resource assessment in the Wilderness-review process; (2) the oil and gas potential of Wilderness Study Areas; (3) the oil and gas potential of lands in the National Wilderness Preservation System; and (4) the current and future availability of western Federal onshore lands for oil and gas leasing.

(1) MINERAL-RESOURCE ASSESSMENT IN THE WILDERNESS-REVIEW PROCESS

The accuracy of a mineral-resource assessment can be judged in only one way--by extensive and very detailed exploration. Experience has shown that the mineral importance of an area can change significantly through time as new data become available and as new theories are developed. A mineral assessment should therefore be considered accurate only so long as new data and theories do not seriously question the results of the assessment. The thrust belt in the western United States is an often-cited example of an area where new data have recently changed the oil and gas picture.

Some industry groups have argued that Federal lands, including Wilderness, should remain available for exploration because of the inherent uncertainties in mineral assessment as described briefly above. Congress, however, has determined that this strategy is unacceptable for areas containing wilderness values--such as solitude and the visible lack of human intrusion--because mineral activities may destroy these values. Thus, as the law now stands mineral leasing in Wilderness areas will come to a halt in 1984.

Industry groups have also argued that all uncertainty regarding the mineral potential of possible Wilderness area should be eliminated before a Wilderness designation is made. If mineral assessments were conducted to the satisfaction of the exploration geologist, however, the costs in terms of dollars and time would exceed the amounts available to the land-management agency for this purpose. Furthermore, in areas being considered for Wilderness, detailed and time-consuming mineral assessments could harm some of the intrinsic values that the Wilderness review programs are designed to protect.

Because uncertainties exist in mineral resource assessment, and because our society considers non-mineral resource values to be important, some land-use decisions made today using available data will be poor decisions from a strictly mineral-resource standpoint. But the fear of making a wrong or improper decision relative to mineral resources must be balanced with the knowledge that land-management agencies are required by law to make decisions within specified budgets and time periods--regardless of the type and amount of information available. It should be evident, therefore, that the use of existing data, despite possible inaccuracies, is the only way of making "informed trade-offs" among the many competing land users. If it becomes apparent in the future that past land-use decisions are no longer in the best interests of society, laws can be enacted that nullify or modify these past decisions. In regard to the Wilderness Preservation System, periodic reassessment of the mineral importance of these lands should be an integral part of their management.

(2) THE OIL AND GAS POTENTIAL OF WILDERNESS STUDY AREAS

One purpose of today's hearing is to establish some credible estimates of the undiscovered oil and gas resources of lands in the National Wilderness Preservation System. We will address this question in item 3 below. But before doing so, we will describe briefly some of the results of our work regarding potential Wilderness areas. We believe that our experiences and conclusions are relevant to the broader question of the oil and gas potential of existing Wilderness areas.

We have found, as have other investigators, that resource potential is not distributed evenly among potential Wilderness areas. For example, we evaluated the oil and gas favorability of 29 Wilderness Study Areas (WSAs) in the BLM's Cedar City district in southwestern Utah.^a No tract was considered to have a high oil and favorability.

About one-third of the acreage was considered to have a moderate favorability for oil and gas, and the remaining two-thirds of the acreage was considered to have a low favorability. In a similar study of northern and central Idaho,^b all WSAs were considered to be either unfavorable for oil and gas or to be favorable for small accumulations only. Because of geologic variability and the overall randomness in the location of Wilderness areas, and considering that many Wilderness areas are situated in mountainous terrains composed of igneous and metamorphic rock (the Sierra Nevada, the Cascades, and the core of uplifted masses in the Rocky Mountains), we would expect only a few of the existing Wilderness areas to be highly favorable for oil and gas.

In an overview of the BLM's Wilderness Review Program,^c we estimated the oil and gas potential of the total WSA-acreage under review. As of 1981, the BLM had identified slightly less than 1000 WSAs encompassing about 24 million acres of Federal land in the 11 western states. The WSAs range in size from a few hundred acres to a few hundred-thousand acres. We estimated that the cumulative undiscovered oil resources in the WSAs could be as much as 0.6 percent of the nation's total oil resources, and as much as 0.4 percent of the nation's total gas resources. The WSA-acreage represents about 1 percent of the land area of the country and about 0.8 percent of the country's total onshore/offshore area. Overall, therefore, we consider the WSAs to have a lower oil and gas potential than would be expected if based strictly on their cumulative acreage. In general, this is because many of the WSAs are in geologic provinces that are relatively unfavorable for oil and gas. This is illustrated by comparing Figure 1, which shows the distribution of all WSAs in the West, with Figure 2, which shows the coincidence of WSAs with areas of high to moderate potential for oil and gas. Note that many WSAs lie in areas that, in our opinion, have a low oil and gas potential.

The purpose of the discussion above is to demonstrate that methods exist that adequately differentiate the mineral potential of WSAs for the purpose of land-use planning. These methods must necessarily rely on existing data. Mistakes can be made when viewed with hindsight, but this possibility must be accepted because our society has demonstrated its desire that non-mineral resource values should also be considered in the land-use decision process. Is it possible that a very large oil and gas accumulation may exist within a WSA that was judged to have a low oil and gas favorability? Yes, it is possible. But an assumption such as this has profound implications for non-Wilderness lands as well. We will describe below what this implication means in terms of the entire Wilderness system.

(3) THE OIL AND GAS POTENTIAL OF LANDS IN THE NATIONAL WILDERNESS PRESERVATION SYSTEM

We want to make it clear to the subcommittee members that our work to date has not required that we make estimates of the oil and gas potential of existing Wilderness areas. For this hearing, however, we have made some resource allocations based simply on the acreage of land that is currently and potentially within the National Wilderness Preservation System. Our results indicate that these lands may contain on the order of 3 percent of the Nation's total undiscovered oil resources and 2 percent of the Nation's total undiscovered gas resources. The estimates are based on (1) a Wilderness System containing 105 million acres of land (80 million acres in existing Wilderness, about 16 million acres in proposed Wilderness, and about 9 million acres of potential Wilderness), and (2) mean estimates of the nation's oil and gas potential prepared by the U.S. Geological Survey.^d These estimates, allocated to the existing, proposed, and potential Wilderness areas, in the three land categories listed on the attached table.

The significance assigned to lands that potentially contain 2 or 3 percent of the nation's oil and gas resources is, of course, controversial. A debate over the significance of these percentages tends to obscure a more important point; that is, the potential size of the oil and gas accumulations within individual Wilderness areas. For example, the discovery of one 500-million barrel oil field (a giant) is much more significant than the discovery of fifty 10-million-barrel oil fields.^e We wish we could tell the subcommittee with a high degree of certainty whether or not a giant field exists in any Wilderness areas, but we cannot. But we can tell you this: if it is assumed that some giant fields exist within Wilderness areas, then it must also be assumed that many undiscovered giant fields still await discovery in the much larger non-Wilderness segments of the country. The real problem then becomes whether enough land is available for exploring these other areas. As you all know, the amount of non-Wilderness land that is currently available for mineral exploration and development is a matter of considerable debate. We have recently completed a study of this topic and the results are described next.^c

(4) THE CURRENT AND FUTURE AVAILABILITY OF WESTERN FEDERAL ONSHORE LANDS FOR OIL AND GAS LEASING

According to our analysis,^c at the present time approximately 6 percent of the Federal onshore lands in the 11 western states are formally closed to mineral leasing, 38 percent are highly restricted, and 56 percent are open with moderate or slight restrictions (we will limit our discussion here to the leasable minerals). In our study we considered Federal lands assigned to the "highly restricted" category to be effectively closed to the mineral industry. Thus, we estimate that about 44 percent of the Federal lands in the West are now effectively closed to mineral leasing (the sum of the lands in the formally closed and highly restricted categories).

The rapid acceleration of restrictions imposed on Federal lands during the past 15 years explains much of the concern now expressed by industry over the unavailability of this land. Industry, however, often overlooks the temporary nature of many of these restrictions. For example, many restrictions on western Federal lands are the result of multiple-use planning programs implemented in the 1960s and 1970s. These programs require that public lands being studied for possible Wilderness designation be managed in such a way so as not to damage their Wilderness characteristics. In the next 10 years, most of these land-use decisions will have been made, and millions of acres of Federal land that are now restricted will be "released" for mineral activities. Our estimate places almost 70 percent of the West's Federal lands in the category of "open" to mineral leasing by 1990, compared with 56 percent today. This increase will result largely from (1) the release of approximately 27.8 million acres of land recommended for "non-Wilderness" during the RARE-II program (in our study we considered this entire acreage to be effectively closed to mineral activities), (2) the release of part of the 7.8 million acres assigned to the "further planning" category during the RARE-II program (we estimated that 3.9 million of these acres will be available for mineral activities by 1990), (3) the release of part of the 24.3 million acres of WSAs currently under Wilderness review by the BLM (we estimated that 12.2 million of these acres will be available for mineral activities by 1990), and (4) the release of many millions of acres of Federal land by the Reagan Administration as a result of accelerated withdrawal reviews and revocations (estimated at a net availability of 4 million acres by 1990).

CONCLUSIONS

1. The use of existing minerals data is the only way of making informed trade-offs within the time constraints usually imposed on land-use decisions. Mistakes are inevitable, but correctable.
2. The oil and gas potential of Wilderness areas is not greater, on an average, than the resource potential of non-Wilderness areas. At any point in time, only a relatively small percentage of the Wilderness areas will be of genuine interest to the minerals industry.
3. Lands in the Wilderness System are estimated to contain about 3 percent of the undiscovered oil and 2 percent of the undiscovered gas resources of the nation. The future significance of these lands will depend, among other things, on the availability of non-Wilderness lands for mineral exploration and development.
4. At the present time, about 44 percent of western Federal land is estimated to be highly restricted for thorough and economical mineral exploration and development. During the next 10 years, however, the availability of these lands for leasing will increase to about 70 percent from the current figure of about 56 percent.
5. Because of the increasing availability of western Federal land during the next 10 years, and because large acreages of virtually unexplored Federal and non-Federal land exist in the West (and elsewhere), we see little justification for allowing mineral activities in existing Wilderness areas. In regard to oil and gas, large acreages of Federal offshore land will probably also become available during the next few years. These lands total approximately 760 million acres and are estimated by the USGS^d to contain 34 percent of the nation's total undiscovered oil resources and 28 percent of the undiscovered gas resources (based on mean estimates).
6. We believe that the current mineral review process for potential Wilderness areas adequately protects most areas that have high mineral-resource potential from being included in Wilderness. This process should be fully supported over the next 10 years.

FOOTNOTES

- (a) Oakes, E. H., Wedow, Helmuth, Poling, R. S., and Voelker, A. H., 1981, Energy-resource evaluation of Wilderness Study Areas administered by the Bureau of Land Management--the Cedar City district, Utah: Submitted to the U.S. Department of Energy, Leasing Policy Development Office, April 20, 1981, 317 p.
- (b) Oakes, E. H., Poling, R. S., Wedow, Helmuth, and Voelker, A. H., 1981, Energy-resource evaluation of Wilderness Study Areas administered by the Bureau of Land Management--the Coeur d'Alene district, Idaho: Submitted to the U.S. Department of Energy, Leasing Policy Development Office, May 29, 1981, 377 p.
- (c) Oakes, E. H., and Voelker, A. H., 1982, Wilderness designation of Bureau of Land Management lands and impacts on the availability of energy resources: Oak Ridge National Laboratory Technical Manual ORNL/TM-8310 (this report is in final draft form and will be available for general distribution in the fall of 1982).
- (d) Dolton, G. H., and others, 1981, Estimates of undiscovered recoverable conventional resources of oil and gas in the United States: U.S. Geological Survey, Open-File Report 81-192, 17 p. (this report has since been issued as USGS Circular 860).
- (e) The importance of giant fields to the economy of petroleum companies and to the overall strength of the nation cannot be overemphasized. If reserves are to keep pace with consumption, and if giant fields are not found, a very large number of small fields must be discovered.

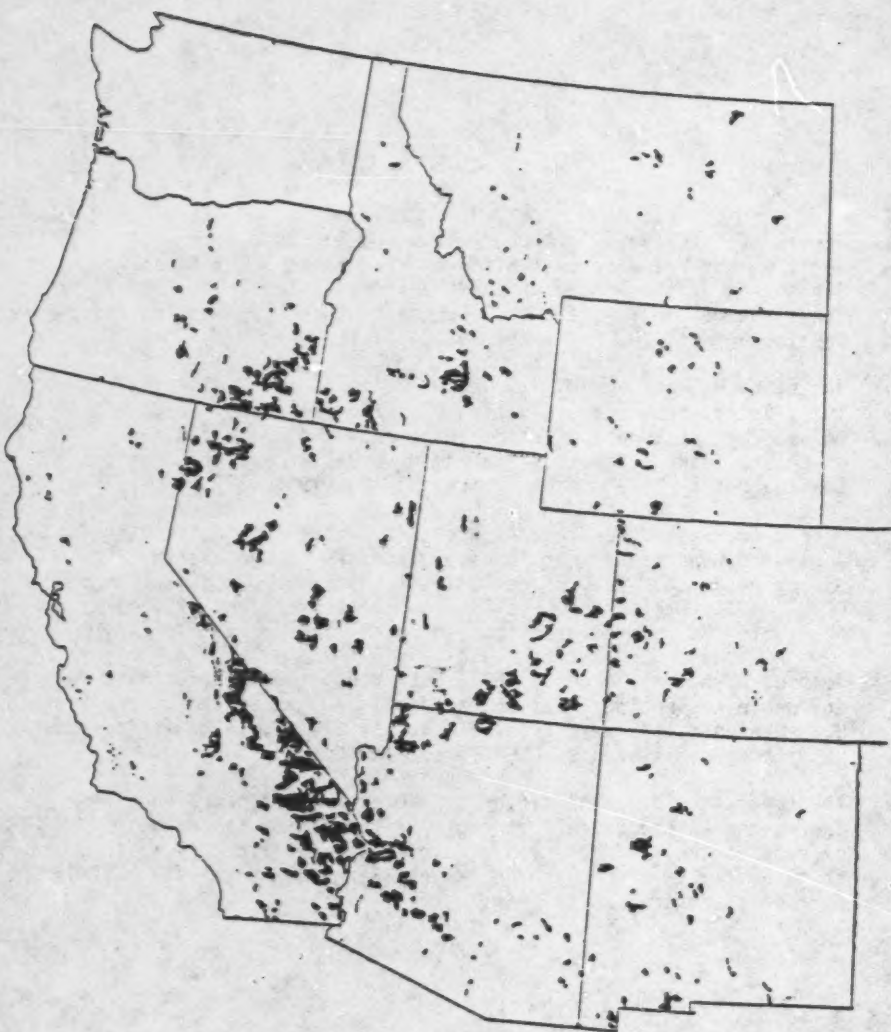


Figure 1. The distribution of Wilderness Study Areas (WSAs) in the western United States as of Spring 1981. Does not include WSAs that are currently under appeal.

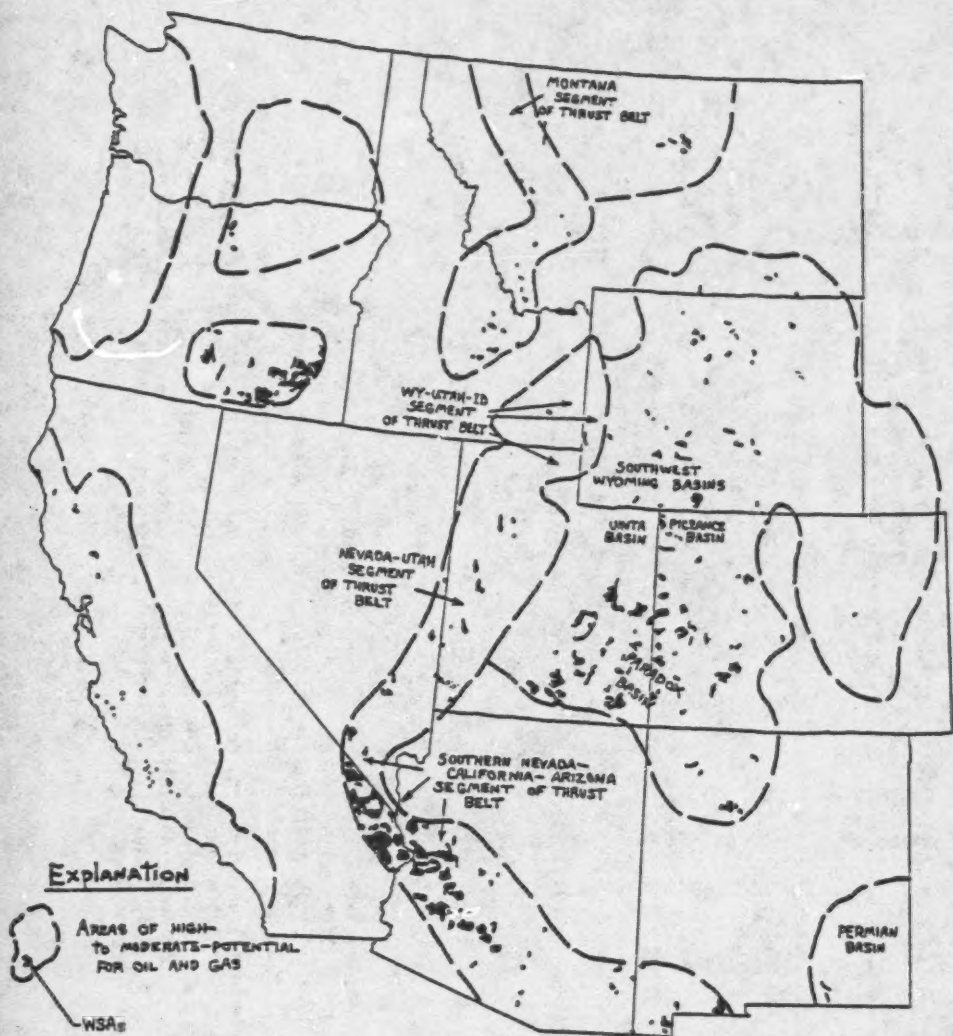


Figure 2. The coincidence of WSAs and areas of high- to moderate-potential for oil and gas.

BACKGROUND TABULATIONS IN SUPPORT OF OIL AND GAS ESTIMATES CITED IN THE
JOINT STATEMENT OF A. H. VOELKER AND E. H. OAKES BEFORE THE
SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATERS ON SEPTEMBER 23, 1982

AREA	OIL/GAS POTENTIAL (a) (in bill.bbbls/trill.cubic ft.)	WILDERNESS ACREAGE (includes existing, probable, and potential wilderness-- 105 million acres)	OIL/GAS POTENTIAL OF WILDERNESS SYSTEM (in bill/bbls/ trill/cubic ft.)
ALASKA	6.9/36.6	65 million acres (~18% of Alaska)	1.2/6.6 (18% of Alaska pot.)
11 WESTERN STATES	30(b)/175(c)	35 million acres (~4.6% of West)	1.3/8.1 (~4.6% of West's pot.)
REMAINING ONSHORE AREAS	17.7/215.2	5 million acres (much less than 1% of this area)	Insignificant

(a) Based on mean estimates in Dolton and Others (1981; USGS Circular 860).

(b) Excludes 3.4 billion barrels in West Texas, N. Dakota, and S. Dakota.

(c) Excludes 18.3 trillion cubic feet in West Texas, N. Dakota, and S. Dakota.

Discussion: The total undiscovered, recoverable oil resource assigned to a wilderness system containing 105 million acres is 2.5 billion barrels. This represents 3% of the nation's total onshore-plus-offshore oil resource of 82.6 billion barrels. The total undiscovered, recoverable gas resource assigned to the wilderness system described above is 14.7 trillion cubic ft. This represents 2 percent of the nation's total onshore-plus-offshore gas resource of 593.8 TCF.

Senator WALLOP. The offshore is presenting many of the same problems that the onshore is presenting right now in terms of either by policy or legal means being withdrawn. It seems to me if it is a balanced approach, I mean if you are just looking at recurrent trends, it would be one way of doing it. One of the recurring trends is the 500 dry holes in the areas that we didn't know, everybody thought could, but experience taught us could not hold oil, and yet it did.

Mr. OAKES. This is the Thrust Belt, western Wyoming. This is a very interesting story about the western Wyoming Belt. We hear so many times that people say we didn't think there was any potential there until we found something, and in 1975—that is not quite accurate, because the American Association of Petroleum Geologists, as far back as 1951, thought that area had tremendous potential. I think the estimate was, and I could be wrong, this is something like 3 billion barrels of recoverable oil.

The problem of course, is that the structure is so complex, you have got to go down so deep, at that time it just wasn't economical to do that kind of thing, but the potential was there. It was a favorable area.

Senator WALLOP. Then 3 billion barrels turns out to have been extraordinarily modest.

Mr. OAKES. No. USGS estimates 6 billion now, about 6.5 for the Thrust Belt in western Wyoming.

Senator WALLOP. People in the industry who have been there we heard testimony this morning are talking about 18 million barrels.

Mr. OAKES. I think you are talking about the entire Thrust Belt. We adopted USGS because this is a national debate. We are talking about public lands, and this data is available to the public, and we think that is a pretty solid way to go.

Senator WALLOP. Much obliged; thank you. The next panel, Mr. Douglas Francisco, senior Government relations representative, IPAA; David Christiansen, manager, Governmental Affairs, Arco Exploration; Mr. Max Pitcher, vice president, North American Exploration for Conoco, Inc.; Mr. Bobby R. Hall, director of the Exploration Department, American Petroleum Institute—Mr. Pitcher, I understand that you have a plane to catch, so we will start with you.

STATEMENT OF MAX PITCHER, VICE PRESIDENT, DOMESTIC EXPLORATION, CONOCO, INC.

Mr. PITCHER. My name is Max Pitcher. I am vice president and Exploration Manager for Conoco, and as such I direct the exploration in the United States onshore and offshore for Conoco.

Conoco opposes enactment of S. 2801, and I would like to make six points. The six points I will talk about are, No. 1, use is not abuse.

No. 2, the seismic which has been raised; No. 3, the inventory is only accurate after drilling; No. 4, the time for production may be 5 to 6 years in remote areas; No. 5, slant drilling is not feasible; and No. 6, Conoco's position is that the wilderness per se, present wilderness, can be withdrawn. We don't want to see other lands withdrawn.

This bill very properly says public lands and especially wilderness lands must not be abused. Use, however, does not mean abuse. We can harvest our Nation's energy without harming surface resources. We can coexist with the sensitive environment. A case in point is the Arkansas Pass Oil Field in south Texas which lies in the middle of what is now a wildlife refuge. This oil field which Conoco operates has been active for 50 years. It is also the home of 10 endangered species. The magnificent but endangered whooping crane winters at Arkansas among our pumps and other oil field equipment. We are fortunate in having this striking example of co-existence because under today's restrictions we probably would not have access to those lands.

Recently we have leased some lands from the Audubon Society in Louisiana. We did this only after we convinced them that use would not be abuse.

Our seismic work is neither dangerous to wildlife nor does it leave a permanent scar. Our work is temporary and repairable, and after we have finished, nature carries on.

Conoco developed the vibra-sized equipment which is spoken of here. In remote areas we use nonexplosive devices for seismic activities all the time. In remote areas, this is not feasible.

As an exploration manager my job is to recommend investigations where potential for oil and gas appears high enough to justify the cost, and in areas where we have the opportunity to recover that cost by drilling and producing, and accurate inventory can only be accomplished through drilling.

Lacking meaningful inventory, the Congress has denied itself the opportunity to make sound, informed decisions. S. 2801 is hastily conceived legislation. To say that these lands would be made available in times of national emergency is just rhetoric. In remote areas it takes 5 to 6 years to do seismic work, exploration drilling, and finally produce oil. Slant drilling is not feasible. We could maybe drill slant wells half a mile from the border of wilderness areas, but that is almost never done in remote areas.

Thirty-seven million acres would be withdrawn with this bill. As a minimum, Conoco believes that the present wilderness areas could be withdrawn but the lands under study should not be, and some time-certain date should be established for their release.

Thank you.

[The prepared statements of Mr. Pitcher follow:]

Conoco Statement on S.2801

by

Max Pitcher

September 23, 1982

My name is Max Pitcher. I am Vice President of Domestic Exploration for Conoco Inc.

Conoco opposes enactment of S.2801.

This bill very properly says public lands and especially wilderness lands must not be abused. Use, however, does not mean abuse. We can harvest our nation's critically important energy supplies without harming surface resources. The evidence demonstrates that we can coexist with a sensitive environment.

A case in point is the Aransas Pass oil field in South Texas, which lies in the middle of what is now a wildlife refuge. This oil field, which Conoco operates, has been active for 50 years. It is also home to 10 endangered species.* The magnificent but endangered whooping crane winters at Aransas among our pumps, pipelines and other oilfield equipment.

We're fortunate in having this striking example of coexistence because under today's restrictions we probably would not have had access to those lands.

Another example of this kind of compatibility is found in Alaska, where the caribou herds graze undisturbed in the very shadow of the Trans-Alaska Pipeline.

We have built, used and then obliterated roads which are not now detectable.

*These include: the peregrine falcon, southern bald eagle, Attwater's greater prairie chicken, brown pelican, five species of sea turtle, and the whooping crane

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Offshore, production platforms have become marine sanctuaries unto themselves -- surrogate reefs supporting an entire chain of aquatic life.

Our seismic work is neither dangerous to wildlife nor does it leave a permanent scar. Our work is temporary and reparable, and after we've finished nature carries on.

As an exploration manager my job is to recommend investigations where the potential for oil and gas appears high enough to justify the cost and in areas where we have the opportunity to recover that cost by drilling and producing. By removing leasing and drilling rights, S.2801 removes all incentive for prospecting or inventorying, leaving this task, presumably, to federal agencies. Not only do the agencies lack the wherewithal to execute this function; but the bill also falls short of permitting the only means by which anyone could establish the presence of petroleum -- that is, by actual drilling -- and compounds the error by leaving open-ended the time in which these superficial surface studies can be made.

Petroleum is a legitimate value in making land use decisions. The public has every right to know what energy and what strategic security from that energy have been denied them by unnecessary foreclosure. Lacking meaningful inventory, the Congress has denied itself the opportunity to make sound and informed decisions. S.2801 is hastily conceived legislation. Neither it nor the comparable House bill has been given adequate hearing or review. Important unanswered questions require further study and dialogue. For example, although the country's need for future energy supplies has been thoroughly documented, the need for wilderness, how much, and for whom have not been determined. The effect of explosives on the

environment, though greatly studied by industry, has not been discussed by this Congress. This bill offers the President an option to request release when "urgent national need" outweighs other "public values" of wilderness. But neither of these terms is defined so the option is unworkably vague. These are but a few of the issues that should be explored before legislation such as S.2801 is enacted.

Conoco Comments on S.2801
(SUPPLEMENTARY WRITTEN TESTIMONY TO
STATEMENT OF SEPTEMBER 23, 1982)

Conoco is strongly opposed to S.2801. This bill would needlessly withdraw millions of acres of public land from petroleum development before any serious evaluation of the energy resources underlying those lands can be made. Moreover, the bill does not provide any realistic opportunity for such resource inventory in the future. The bill also fails to promptly release to multiple use areas that will not be designated Wilderness, leaving them in an open-ended study state amounting to defacto withdrawal, and further delaying potential development. The bill fails to provide workable solutions in the event of threat to national security, and leaves unaddressed the question of how much wilderness should be reserved, and for whom.

Other companies and trade associations which represent the energy industry have addressed in detail these fundamental deficiencies of S.2801 in their statements on this legislation. Conoco fully shares the concerns these groups have raised. In addition, we wish to comment at greater length on two aspects of the wilderness issue: compatibility and inventorying.

Compatibility

The land withdrawals proposed in S.2801 presume that petroleum exploration and production are incompatible with the surface environment. Conoco believes it is critically important to understand that petroleum operations do not affect large areas of land, and that protection of those areas that are used is assured through compliance with existing statutes. We can and do co-exist with a variety of sensitive environments. Our intrusions are brief and reparable.

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Conoco, like others, seeks to be on the cutting edge of science. As a part of this effort, our ability to treat the land gently while harvesting its resources has improved vastly over the years. At the same time, Conoco has complied with the numerous environmental protection laws developed over the last decade. These statutes already assure that we leave areas we have worked in the same condition as when we came. The proposed legislation assumes that environmental laws are inadequate and that we cannot conduct our activities without causing irreparable harm to the land. Neither of these is a responsible presumption. To the contrary, in the fortunate event that petroleum is discovered, the production period is relatively brief. Following depletion, moreover, the lands can be reclaimed for whatever sequential land allocation is desired. Furthermore, the real amount of land actually occupied during production is strikingly small.

Cost factors are another consideration which oil companies must address. The relatively expensive access into the rugged terrain characteristic of most wildernesses or wilderness candidate areas, combined with strict environmental protection stipulations, precludes exploration of any but the most promising and accessible areas. Wildcat drilling is similarly precluded, except for on the most promising and accessible prospects. Even if leasing and exploration were permitted throughout wildernesses, only a few prospects would survive the rigorous filter of high expense and protective stipulations on actual drilling activities.

The myth of "incompatibility" between development and wildlife needs to be challenged. It is plainly opened to doubt, for example by

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the herds of elk that are found along the roadside in Yellowstone Park. Similar examples of compatibility can be found in our oilfield operations. The Aransas Pass oilfield lies in the middle of what is now a wildlife refuge. This oilfield, which Conoco operates, has been active for 50 years. It is also the home of ten endangered species. *The magnificent whooping crane winters here, among our pumps, pipelines and other oilfield equipment. We are fortunate to have this impressive, living testimony to coexistence, because under today's restrictions we probably would not have had the opportunity to enter those lands.

We have been able to build, use and later obliterate roads - which are now undetectable - in sensitive environmental areas. Our seismic work, moreover, is neither dangerous to wildlife nor does it leave a permanent scar. Offshore production platforms have literally become marine sanctuaries, or surrogate reefs, supporting an entire chain of aquatic life. Our activities - both exploration and production - are temporary and reparable. When we ultimately leave an area, the energy resources will have been taken advantage of; but the well-being of the wildlife will not have been violated. We can coexist with nature, and after we have finished our work, nature carries on.

Prospecting and Inventorying

It is the job of the exploration manager to recommend investigations where the potential for oil and gas appears high enough to justify the cost; that is, in areas where there is opportunity

*These include: the peregrin falcon, southern bald eagle, Attwater's greater prairie chicken, the brown pelican, five species of the sea turtle and the whooping crane.

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to recover that cost by drilling and producing. By removing leasing and drilling rights, S.2801 removes all incentive for prospecting or inventorying. Presumably this task is left to federal agencies. However, not only do these agencies lack the wherewithal to perform this function; but S.2801 prohibits actual drilling, which is the only means for anyone to establish the presence of petroleum. This bill compounds the error by leaving open-ended the time in which these superficial surface studies can be made. The preclusion of drilling rights and the lack of time-certain release dates are the two most serious defects of S.2801.

We believe, moreover, that a serious mandate to inventory the resources contained on wildernesses and wilderness candidate areas would permit employment of reliable survey techniques. Yet, S.2801 denies the right to construct roads or improve existing roads or ways. It denies the use of explosives in wilderness, although the effects are minimal, temporary and repairable. The efficacy of this method in deep subsurface geological mapping is highly important. Finally by precluding actual drilling, the bill renders the inventory process meaningless. By thwarting the ability of industry or agency to utilize the tools and techniques most appropriate to real inventory, the bill insures that the subsurface values will remain unknown. We believe petroleum is a legitimate value to take into account in making land use decisions.

The public is entitled to know what foreclosure of substantial amounts of federal lands will deny the country, in terms of energy resources and the strategic security and federal revenues these resources might have brought. By precluding meaningful inventory,

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the Congress will deny itself the opportunity to make sound, informed decisions. Without release language, this error will be perpetuated.

Additional Concerns

S.2801 is hastily conceived legislation. Neither this bill nor the counterpart, House bill have been given adequate hearing or review. Important unanswered questions require further study and dialogue. For example, although the country's need for future energy supplies has been thoroughly documented, the need for wilderness - how much and for whom - has not been determined. The effect of explosives on the environment, though greatly studied by industry, has not been discussed by Congress. S.2801 offers the President the option to request release when "urgent national need" outweighs other "public values" of wilderness, but neither term is defined. The option is, therefore, unworkably vague and neither the long lead times to establish production nor the inevitable environmental damage of a crash program are taken into account. In addition, the bill fails to address the legal and factual sufficiency of the RARE II Final Environmental Statement, or the valid existing rights of current lease holders. Resolution of these and other issues should be considered before wilderness legislation is enacted.

Senator WALLOP. Thank you very much. What I will do, given your airplane, I would just like to——

Mr. PITCHER. I have time for this panel.

Senator WALLOP. I just would like to ask you in case you do not if you could tell me what the consequences of a no-explosive seismic provision of this bill would be?

Mr. PITCHER. It is in general, almost in general, to exclude all the areas from seismic activity that we are talking about.

Senator WALLOP. And of the two forms, surface as was mentioned earlier, with the portable drills and the subsurface explosives, which is the least obtrusive to the surface?

Mr. PITCHER. Probably the portable drills, and also we get better data.

Senator WALLOP. All right. Thank you. We will go on. I wanted to determine that.

Mr. Francisco?

STATEMENT OF DOUGLAS L. FRANCISCO, SENIOR GOVERNMENT RELATIONS REPRESENTATIVE, INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA

Mr. FRANCISCO. Mr. Chairman, I am Douglas Francisco, senior Government relations representative of the Independent Petroleum Association of America.

The IPA wishes to register its strong opposition to S. 2801. While we recognize the need for balance between resource development and other characteristics contained in some wilderness areas, we do not believe that this bill provides that balance.

This bill would withdraw huge chunks of land from mineral development without any consideration given to reliable information regarding mineral potential of those lands. Our dependence on Middle Eastern countries for one-third of our Nation's total petroleum requirements is a fact of life. Our supply of this, more than 30 percent of this energy need is tenuous at best, and continued reliance on foreign supplies is risky insofar as our national security and national defense are concerned, as well as being a serious negative factor on our balance of payments posture, and yet this legislation does little or nothing to address these realities.

The mechanism that is included in the bill whereby the President may declare an urgent national need is unrealistic and short-sighted. A significant reality is that long leadtimes are required in the exploration and production of oil and gas.

A further failure of this bill is that it lacks the recognition of a decade of environmental laws and industry practices that make oil and gas operations compatible with the environment.

Now recognizing that despite the shortcomings, that we feel this legislation contains, we realize that it may nonetheless proceed through the legislative process and be enacted into law. In such a case, we have several recommendations which we feel address the problems we have with this bill.

First, the RARE II review and evaluation should be determined to fulfill the requirement of the National Forest Management Act. National Forest Service lands reviewed under RARE II and not rec-

ommended for wilderness and not designated as wilderness by Congress should be released to multiple use management.

Second, the RARE II process should complete the review of national forest system lands for the purpose of determining their suitability for inclusion in the national wilderness preservation system. In other words, there should be no RARE III.

Third, lands in BLM wilderness study areas determined as unsuitable for wilderness should be permanently released to multiple use at the time of the approval of the final EIS.

Fourth, the prohibition against the use of explosives in seismic activities in wilderness areas should be deleted.

Fifth, in any new wilderness area subsequently added to the national wilderness system, mineral leasing should be permitted for a period of 20 years.

And last, we feel above all the wilderness candidate areas should not be involved in this legislation in any event.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Francisco follows:]

STATEMENT OF DOUGLAS L. FRANCISCO, SENIOR GOVERNMENT RELATIONS
REPRESENTATIVE, INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA

Mr. Chairman, I am Douglas L. Francisco, Senior Government Relations Representative of the Independent Petroleum Association of America. I am appearing today in my capacity as Secretary of the Public Lands Committee of that Association.

We are joined in these comments by the thirty unaffiliated state and regional oil and gas associations listed on the cover page. The combined membership of these associations includes virtually all of the approximately 15,000 independent oil and gas producers in the United States.

For the record, the Independent Petroleum Association of America is a national association of roughly 8,000 independent domestic explorer-producers of crude oil and natural gas. Virtually all of the oil and gas exploration and production activity of the IPAA membership takes place within the "lower 48" states of the United States. Independents drill 80 percent of all wells and 90 percent of the exploratory wells directed at finding new oil and natural gas. Independents made 80 percent of the significant U.S. oil and natural gas discoveries according to the American Association of Petroleum Geologists in their latest report covering 1969-78. Furthermore, the independent produces about a third of the total output of crude oil and natural gas in the United States.

Mr. Chairman, IPAA appreciates having the opportunity to testify on S. 2801, the Wilderness Protection Act of 1982. I should note that while we are grateful for this occasion to be heard on this legislation it is our strong feeling that full hearings should be conducted in the states that will be directly affected should this bill be enacted. If such hearings are feasible the IPAA strongly urges this committee to hold further hearings on this legislation in the mountain states within whose boundaries most of the lands under discussion here lie.

In any event, Mr. Chairman, the IPAA wishes to register its strong opposition to S. 2801 in its current form. While we recognize the need for a balance between resource development and other characteristics contained in some Wilderness areas, we do not believe that this bill provides that balance. This bill would withdraw huge chunks of land from mineral development with little consideration given to reliable information regarding mineral potential of those lands. This legislation flies in the face of the original intent of the authors of the Wilderness Act of 1964 by prematurely foreclosing any opportunity to evaluate the acreage included in this bill.

In a vacuum or in a perfect world such a precipitous action on the part of the Congress would have little effect. But obviously ours is not a perfect world. Our dependence on the middle Eastern countries for one-third of our nation's total petroleum requirements is a fact of life. We can take little comfort in the news we receive on a daily basis from the middle East. Our supply of this more than thirty percent of our energy in 1981 alone was over \$76 billion. Continued reliance on foreign supplies is risky insofar as our national security and national defense are con-

cerned as well as being a serious negative factor in our balance of payments posture.

And yet this legislation does little or nothing to address these realities. The mechanism that is included in the bill whereby the President may declare an "urgent national need" is totally unrealistic and shortsighted. A significant reality is that long lead times are required in the exploration and production of oil and gas. Since the bill precludes a meaningful inventory process through present day seismic technology, the period of time required for possible production of oil or gas from these lands would be unnecessarily lengthened.

A further failure of this bill is that it lacks the recognition of a decade of environmental laws and industry practices that make oil and gas operations compatible with the environment. Modern exploration and production techniques permit operations in even environmentally sensitive areas without permanent impairment.

Recognizing that despite the shortcomings we feel that this legislation contains, we realize that it may nonetheless proceed through the legislative process and be enacted into law. In such a case we have several recommendations which we feel address the problems we have with this bill.

First, the RARE II review and evaluation should be determined to fulfill the requirement of the National Forest Management Act. National Forest Service lands reviewed under RARE II and not recommended for wilderness and not designated as wilderness by Congress should be released to multiple use management.

Second, the RARE II process complete the review of national forest system lands for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System. In other words, there should not be a RARE III.

Third, lands in BLM Wilderness Study Areas determined as "unsuitable for wilderness" should be permanently released.

Fourth, the prohibition against the use of explosives in seismic activities in wilderness areas should be deleted.

Fifth, in any new wilderness area subsequently added to the National Wilderness System, mineral leasing should be permitted for a period of twenty years.

Senator WALLOP. Thank you, Mr. Francisco.

Mr. Christiansen?

STATEMENT OF DAVID R. CHRISTIANSEN, MANAGER, GOVERNMENT AFFAIRS, ARCO EXPLORATION

Mr. CHRISTIANSEN. Mr. Chairman, I am Dave Christiansen, manager of government affairs for Arco Exploration Co., the domestic oil and gas exploration arm of the Atlantic Richfield Co.

Currently my company has either lease applications pending or currently holds leases on nearly one quarter million acres that are located either wholly or partially in existing wilderness areas or areas under study for wilderness.

Because of this extensive leasehold, and since much of the remaining energy and mineral resource potential in the United States is expected to be found on Federal lands, we are vitally interested in management of these lands and support meaningful efforts to resolve the controversies surrounding the wilderness issue.

For a variety of reasons, Atlantic Richfield Co. is opposed to the legislation that is before this committee. We do not believe that S. 2801 is in the best interests of the Nation since it proposes to place a moratorium on oil, gas, mineral and geothermal leases on an enormous tract of Federal land at a time when the Nation needs to continue to reduce its dependence on foreign sources of supply.

In addition, this bill does not allow an adequate evaluation in our view of the energy and mineral resource potential of this land, and while the bill does contain language that attempts to address the probability that 1 day these resources may need to be developed, the provisions to allow such development are virtually unworkable.

The items which we view as vital to the achievement of a balanced wilderness protection bill are as follows. First, Federal lands that have not been designated as wilderness or not included in a wilderness study or further planning category should be immediately and permanently released for multiple use.

Second, Forest Service lands recommended for wilderness or further planning and congressionally mandated wilderness study areas should remain open to exploration and development subject to appropriate environmental safeguards until Congress decides to designate them as wilderness.

Third, a time-certain deadline should be implemented requiring Congress to take action on those areas recommended for wilderness or for the further planning by the Forest Service whereby those areas not determined to be suitable for wilderness would revert to multiple use.

Fourth, Bureau of Land Management wilderness study areas should be permanently released from restrictive management practices once determination has been made that an area is best suited for multiple use.

Additionally, all studies should be completed by the BLM by 1986.

Fifth, state-of-the-art exploration technology should not be restricted in development of information to evaluate the energy and mineral resources.

Sixth, appropriate provisions must be added to insure buffer zones around designated wilderness are prohibited unless specifically authorized by an act of Congress.

Seventh, valid existing rights must be protected by incontrovertible statutory language, and finally, prudent energy and mineral policy in our view would dictate that wilderness lands should remain open for thorough and meaningful exploration and development as intended in the 1964 Wilderness Act.

Since the intent of the Wilderness Act has unfortunately been realized, the deadline in that act should be extended for at least 20 years.

Furthermore, oil and gas leasing should be allowed to occur for a similar 20-year period in any new wilderness after it has been designated by Congress.

We believe that the recommendations we have outlined today will greatly improve both the conduct and predictability of the management of our public lands.

I appreciate this opportunity to present Atlantic Richfield Co.'s views and will be happy to answer any questions you might have.

Thank you.

[The prepared statement of Mr. Christiansen follows:]

Statement of
Atlantic Richfield Company

by
David R. Christiansen
Manager of Government Affairs for ARCO Exploration

Hearing on S. 2801, The Wilderness Protection Act of 1982

before the
Subcommittee on Public Lands and Reserved Water
Senate Committee on Energy and Natural Resources
September 23, 1982

The Atlantic Richfield Company appreciates this opportunity to comment on S. 2801, the Wilderness Protection Act of 1982. Major activities of the Corporation include exploration for and development of hydrocarbon resources as well as hardrock minerals. We are, therefore, vitally interested in the management of public lands, and we support meaningful efforts to resolve the current controversy surrounding the wilderness issue.

As drafted, S. 2801 proposes to withdraw from "oil, gas, oil shale, coal...and geothermal leasing", enormous amounts of government lands prior to an adequate evaluation of the energy and mineral resource potential of these lands. The bill does not include national release language for areas recognized as lacking wilderness characteristics and does not impose a reasonable time limit for Congressional action on areas recommended for wilderness. Finally, while S. 2801 recognizes that during times of "urgent national need" development of resources in these areas may be necessary, the "emergency release" provisions are inadequate and unrealistic. For these reasons, the Atlantic Richfield Company opposes S. 2801 as it now stands.

By way of perspective, since 1964 several bills have been enacted into law adding acreage to the National Wilderness Preservation System. Today, nationwide, 80 million acres -- an area larger than the combined areas of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York and New Jersey -- are in wilderness designation. Furthermore, an additional 149 million acres are under either active or potential wilderness study. This brings to 229 million acres the amount of land potentially set aside for

existing or possible wilderness preservation -- an area larger than Montana, Wyoming and Colorado combined. S. 2801 perpetuates the addition of more acreage to the wilderness classification without first understanding and considering energy and mineral values and is therefore detrimental to the national interest.

We believe that the threat of disruption of wilderness values resulting from oil and gas operations has been greatly exaggerated. Over the years, the petroleum industry has demonstrated clearly that exploration for oil and gas and other minerals is compatible with sensitive environmental values. Furthermore, any acreage that is ultimately developed for energy and mineral resource extraction will only be a small fraction of the total acreage available for wilderness designation, and these small areas will be minimally disturbed only for short periods of time.

One of our chief concerns with this legislation is that it does not allow for an adequate energy and mineral resource inventory of lands that are currently under study for wilderness designation. The threat of withdrawal has a chilling effect on the decisions of lessees and the oil industry in general to commit money, effort and time to explore for, and attempt to produce, oil and gas on wilderness or wilderness review lands. Restrictive land management policies destroy the incentive to begin (or to continue) exploration within a wilderness or wilderness review area and thus undermine meaningful attempts to develop sound inventories. To ensure a balanced land management policy, energy and mineral resource potential must be considered in the land management decision making process.

Furthermore, Section 4 restricts oil and gas exploration to "seismic surveys and core sampling conducted by helicopter or other means not requiring construction of roads or improvements of existing roads or ways, for the purpose of gathering information about and inventorying energy, mineral, and other resource values of such area, if such activity is carried out in a manner compatible with the preservation

of the wilderness environment: "Provided however, that seismic activities involving the use of explosives shall not be permitted in designated wilderness areas". Unfortunately, the exploration techniques deemed permissible in this bill often do not yield sufficient information to determine the presence of producible energy and mineral accumulation. Further, new seismographic technologies may develop that can provide additional valuable information on the energy and mineral resource potential of areas having complex geological formations. Only by using a wide variety of seismographic techniques, including the use of explosives, and exploratory drilling, can a conclusive determination be made regarding the presence of extractable resources in an area.

This bill also fails to address the need for national release language and it does not set a reasonable time limit for Congressional action on areas recommended for wilderness. By not including national release language, lands may continue to be managed in such a manner as to preclude resource assessment activities until Congress specifically releases each parcel for multiple use. Additionally, since there is no reasonable deadline for final Congressional action on areas recommended for wilderness, Congressional inaction can effectively maintain these areas as de facto wilderness, despite their failure otherwise to qualify for wilderness designation.

Finally, while Section 5 of S. 2801 acknowledges that there may be a need to develop the energy and mineral resources on certain federal lands, it is drafted in such a way as to exclude development in practice. Under the best of circumstances, it takes several years to explore an area adequately to determine the oil and gas resource potential. Additionally, it can take up to ten years to bring a field into full production once a discovery has been made. Once a crisis arises it is too late to begin the exploration for and the initial development of such resources.

Atlantic Richfield Company, therefore, urges this Committee to consider additional concepts that are absolutely essential, in our view, to balance effective wilderness preservation and availability of potential energy and mineral resources. These concepts are:

- Forest Service lands not currently included in wilderness and not in a Wilderness Study category should be immediately released for multiple use.
- A time certain deadline should be implemented requiring Congress to take action on those areas recommended for wilderness or further planning by the Forest Service whereby those areas not determined to be suitable for wilderness would revert to multiple use.
- Forest Service lands recommended for wilderness or further planning and Congressionally mandated wilderness study areas should remain open to exploration and development, subject to appropriate environmental safeguards, until Congress decides to designate them as wilderness.
- Bureau of Land Management Wilderness Study Areas should be permanently released from restrictive management practices once a determination has been made that an area is best suited for multiple use. Additionally, all studies should be completed by the BLM by 1986.
- State of the art exploration technologies should not be restricted in the development of information to evaluate energy and mineral resources.
- Appropriate provisions must be added to ensure that buffer zones around designated wilderness are prohibited unless specifically authorized by an act of Congress.

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- Valid existing rights must be protected by incontrovertible statutory language.
- Reasonable energy and mineral policy would dictate that wilderness lands should remain open for thorough and meaningful exploration and development as intended in the 1964 Wilderness Act. Since the intent of the Wilderness Act, unfortunately, has not been realized, the deadline in that Act should be extended for at least twenty years. Furthermore, oil and gas leasing should be allowed to occur for a similar twenty year period in any new wilderness after it has been designated by Congress.

In closing, while energy consumption of the United States has declined somewhat over past years, the dangers associated with a foreign policy disruption remain. Daniel Yergin, Harvard political scientist, has recently warned that "people should not fall prey to the glut psychology". It is important for the Nation to remember the hard-learned lessons of the 1973-74 Arab oil embargo and the 1978-79 Iranian revolution. The U.S. and its major trading partners lost an estimated \$1.2 trillion of potential economic growth. S. 2801 could impair the United States' energy security by limiting the ability of the petroleum industry to explore for and produce secure supplies of domestic crude oil and natural gas. The Nation can ill-afford to withdraw millions of acres of land without first assessing their resource potential, given the unstable international climate.

Senator WALLOP. Mr. Hall?

**STATEMENT OF BOBBY R. HALL, DIRECTOR, EXPLORATION
AFFAIRS DEPARTMENT, AMERICAN PETROLEUM INSTITUTE**

Mr. HALL. Mr. Chairman, my name is Bobby Hall. I am the director of exploration for the American Petroleum Institute.

It will probably come as no surprise to you that we oppose S. 2801. In the remaining 1 minute and 20 seconds that I have I would like to address two issues—how much oil is there in the wilderness? I think the questions that you had on the assumptions and speculations of the Oak Ridge studies were well founded. We share those doubts.

That is not to say that wasn't a good piece of work. They worked very hard on it. The Wilderness Society which again was based on the assumption of proportionality, we have more than a philosophical difference of opinion with the society as they expressed here today; we stated it to them in a letter on January 25 which is well documented on this point. I will attach it to the record as well.

I would point out since I graduated from the University of Oklahoma in 1952 as a geological engineer, this country has been running out of oil every other year. So far, we haven't run out of oil. We have been running out of oil since 1925, 1926, 1927. I say this to highlight the fact that it is very dangerous to be making assumptions of how much oil there is or how much there isn't because you can never account for the increased technical knowledge that you gain—the better exploration methods, the better understanding, things like that, so what I would submit is that we probably don't know how much—we in the industry—know how much oil there is in the wilderness, but I would also submit that no one else does either. There may be some or there may be none or there may be a lot.

The second point that I would like to make is on the compromise. I think the questions were very good as to what kind of compromise it was, but if you will recall, the 1964 Wilderness Act was passed after years of study and public debate, and it was hailed as a compromise. It was in the best interests of the Nation.

S. 2801 is no compromise. The intent of the Wilderness Act of 1964 has been largely frustrated. Under existing and proposed wilderness study areas, the original 15 million acre system could be increased tenfold. Little leasing has occurred on land since passage of the original act. Even where leases have been obtained excessively stringent administrative restrictions have resulted in de facto withdrawal of those lands from oil and gas exploration and development.

This is another one of those compromises that may be hailed widely as in the best interests of the Nation. We can see what has happened since 1964.

We appreciate the 2 minutes, Mr. Chairman. We will be glad to answer your questions.

Senator WALLOP. As a matter of fact, I had been giving people 4.

Mr. HALL. I don't know 4 minutes' worth, Mr. Chairman.

Senator WALLOP. That's rather refreshing.

[The prepared statement of Mr. Hall follows:]

Statement by

B.R HALL

on behalf of the

AMERICAN PETROLEUM INSTITUTE

before the

SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATERS

September 23, 1982

Washington, DC

My name is Bobby Hall. I am director of the Exploration Affairs department of the American Petroleum Institute, a national trade association representing more than 320 companies of all sizes and 8,000 individual members with interests in all segments of the petroleum industry.

API appreciates the opportunity to comment on S. 2801, the Wilderness Protection Act of 1982. We believe the bill now under consideration by the Subcommittee on Public Lands and Reserved Waters is not in the national interest and that it will effectively prohibit production of essential oil and gas resources from lands affected by S. 2801. Therefore, we vigorously oppose passage of this bill.

We believe that wilderness lands and wilderness study areas should be available to oil and gas exploration and production under the sound principles of environmental protection and conservation management -- use without abuse -- as established under existing law.

On the other hand, the preservationists demand that all of these areas -- regardless of their resource potential or their wilderness characteristics -- be foreclosed to all petroleum operations.

API believes that the necessary balance between preservation and mineral development can be achieved only

through reasonable management of government lands. S. 2801, in our view, precludes reasonable management and should not be enacted.

Specifically, the bill before you:

- Arbitrarily withdraws from oil and gas leasing millions of acres of government lands without first assessing their petroleum potential;
- Provides no adequate means for evaluating the energy potential of those lands;
- Fails to provide for prompt return to multiple use of those lands lacking wilderness characteristics;
- Proposes a totally unrealistic "solution" for obtaining minerals -- including oil and gas -- from wilderness and wilderness study areas in times of "urgent national needs";
- Adopts an illogical and unwarranted "either/or" approach to environmental protection and oil and gas development; and
- Fails to recognize or to provide for our nation's need for secure domestic sources for critical energy supplies.

Enactment of such legislation would be clearly counterproductive to the stated goals of this -- and previous administrations -- to remove this nation from dependence on energy imports.

Withdrawal Is Counterproductive

Congress and the nation need to know what natural resources underlie government lands before such lands are withdrawn from oil and gas leasing.

The U.S. Geological Survey estimates that the areas of Alaska and the contiguous western states from the Pacific to the western Great Plains contain nearly 44 percent of the estimated undiscovered, recoverable natural gas resources and 64 percent of the undiscovered, recoverable crude oil of the entire onshore land areas of the United States. Of course, not all of those resources are on government lands in the lower 48 states; but we believe that a large part are.

However, wilderness lands and wilderness study areas are largely in these same areas. Therefore, it is vital that wilderness and wilderness study lands be made available for oil and gas exploration and production. Yet, S. 2801 withdraws both designated wilderness and huge amounts of land that remain under review and ultimately may be found devoid of wilderness value.

Oil and gas exploration is essential to the information buildup which gradually increases industry's understanding of an area's geologic makeup. Each new seismic line and exploratory well adds to and, to some degree, changes the geologic understanding of the area. The greater the amount of information, the greater the opportunity for significant discoveries. In many cases, large oil and gas accumulations can elude explorers for years, when such information is incomplete.

A prime example is the Western Overthrust Belt, an area thought to extend from Canada into Mexico and throughout the Rocky Mountain region. Exploration has been going on there for

many years. Today, it is one of the most active and productive onshore exploration provinces in America.

However, the significant finds that have been made are confined to a relatively small part of the Western Overthrust Belt. At least two factors have contributed to this exploration shortfall. First, only recently have exploration techniques been adequate to provide sufficient understanding of that highly complex geologic province. Second, the federal government has withdrawn large portions of these lands from access to oil and gas activity, despite statutory permission for such activities.

API submits that it has never been the intent of Congress to withdraw either wilderness or wilderness study areas from oil and gas or other minerals exploration prior to full evaluation of the total resource potential of such lands.

Section 4(d) (3) of the Wilderness Act of 1964 reads in part:

Notwithstanding any other provision of this Act, until midnight December 31, 1983, the United States mining laws and all laws pertaining to mineral leasing shall, to the same extent as applicable prior to the effective-date of this Act, extend to those national forest lands designated by this Act as "wilderness areas"; subject, however, to such reasonable regulations governing ingress and egress as may be prescribed by the Secretary of Agriculture consistent with the use of the land for mineral location and development and exploration, drilling, and production... ."

In enacting the Wilderness Act, Congress recognized the desire of the people for a "statutory framework for the preservation of wilderness."^{1/}

At the same time, however, Congress also recognized that wilderness should be managed to allow other uses ... "not incompatible with wilderness preservation ..."^{2/} including oil and gas and other mineral activities that would benefit the nation. Indeed, Congress recognized at the time the need for a wilderness framework that would "assure that no future administrator could arbitrarily or capriciously either abolish wilderness areas that should be retained or make wholesale designations of additional areas in which use would be limited."^{3/}

As a practical matter, however, the intent of the Wilderness Act has largely been frustrated. Distressingly little oil or gas leasing has occurred in wilderness areas or wilderness study areas since passage of the 1964 Act. In those areas where leases have been granted, excessively stringent administrative restrictions have resulted in de facto withdrawal of those lands from virtually all oil and gas exploration and production activity.

S. 2801 seeks to further restrict such petroleum operations. Indeed the bill not only formally withdraws 23 million acres of designated wilderness but an additional 15

^{1/} House Report 1538 (Public Law 88-577) p. 3616.

^{2/} Ibid., p. 3617.

^{3/} Ibid., pp. 361-17.

million acres of other lands. These include 5.6 million acres of Forest Service further planning areas, 7 million acres of national forest lands recommended for wilderness designation and 2 million acres of congressionally mandated wilderness study areas. Furthermore, S. 2801 makes no attempt to address the important issue of returning wilderness study lands to multiple use should they not be designated as wilderness.

Thus, without firm guidance from Congress -- which S. 2801 does not provide -- these Forest Service lands and certain Bureau of Land Management lands (identified by Section 603 of the Federal Land Policy and Management Act) may be subject to an incessant round of review, re-review and study, effectively foreclosing them from oil and gas development.

S. 2801 also fails to provide any degree of certainty or dependability that will allow sensible, careful planning to meet the nation's critical energy and mineral needs through exploration and development of these lands.

At the same time, however, the bill leaves wilderness areas open to other forms of mineral exploration and production. Thus, S. 2801 either admits that mineral activities are compatible with wilderness or that strategic minerals are of sufficient value to justify such activity on wilderness lands. It is particularly strange that petroleum operations would be precluded by the proposed legislation from qualifying under these tests.

In fact, oil and gas operations do pass both tests. These operations can occur in wilderness areas without permanently

impairing the wilderness. Oil and gas clearly are important -- if not the most important -- strategic minerals. Moreover, today's sophisticated petroleum exploration and rehabilitation techniques -- combined with stringent environmental controls -- have made operations in ecologically sensitive areas far more justifiable and acceptable than ever before. The industry has demonstrated repeatedly that it can -- and does -- operate in highly sensitive areas without permanently impairing any environmental values.

Urgent National Need

S. 2801 merely pays lip service to the inevitable "urgent national need" for oil and gas and other minerals from the lands the bill proposes to withdraw. However, it provides no sufficient means for evaluation of the mineral resources of withdrawn lands. Nor does the legislation provide any sensible response in the event of an "urgent national need."

Section 4 of S. 2801 would restrict oil and gas exploration to "seismic surveys and core sampling conducted by helicopter or other means not requiring the construction of roads or improvements of existing roads or ways, for the purpose of gathering information ... if such activity is carried out in a manner compatible with the preservation of the wilderness environment; provided, however, that seismic activities involving the use of explosives shall not be permitted in designated wilderness areas."

The limited exploration allowed by the bill is insufficient to determine the presence or absence of oil or gas.

Exploration techniques allowed under S. 2801 only determine whether an oil or gas deposit is more or less likely to occur in a given area. Only the full range of seismographic techniques -- including the use of explosives -- and subsequent exploratory drilling will afford a conclusive determination as to the presence of oil or gas in the area. Only then will the public and the Congress have the information necessary to make a wise decision about the ultimate use of an area.

Oil and gas resource estimates based on nothing but surface surveys are speculative. Thus, claims by preservationists that designated and potential wilderness areas contain only tiny amounts of potentially producible oil and gas and, therefore, need not be explored are merely claims -- they are not supported by extensive geological evidence. Indeed, the only way to obtain a valid determination of the resource potential of a given area is to conduct exploratory drilling. Without drilling, the degree of uncertainty that remains precludes objective policy decisions on the use of government lands.

Section 5 of S. 2801 allows the president to recommend to Congress that mineral exploration and development be permitted in a specific wilderness area:

... if the president finds that, based on available information (1) there is an urgent national need for the mineral activity, and (2) such national need outweighs the other public values of the wilderness lands involved and the potential adverse environmental impacts which are likely to occur.

This provision is of little practical use. The evaluation mechanism allowed in the bill will not provide sufficient information about where to look on such short notice for oil and gas. Furthermore, even under the best of circumstances, it takes several years to adequately explore an area for its oil and gas resources. In addition, it can take up to 10 years to bring a field into full production once a discovery has been made. The long lead-times involved in oil and gas exploration and production guarantee that most crises will have come and gone -- and the nation will have suffered the full force and effect of those crises -- before the oil and gas resources can be located and placed into production.

The Need Is Now

The nation cannot afford to withdraw millions of acres of potential oil and gas bearing lands in a world where even minor military or political ventures can result in disruption of critical energy supplies. Twice in the last 10 years interruptions of the flow of energy imports into this country had severe effects on our ability to meet energy demands. The Arab oil embargo of 1973-1974 and the Iranian revolution in 1978-1979 contributed to gasoline and heating oil shortfalls in the United States.

Current economic conditions and the substantial conservation-induced reductions in energy consumption have lessened somewhat the dangers associated with a cutoff of foreign oil. Nevertheless, the danger remains very real. Despite a slowed economy and increased conservation, the United

States still imports approximately one-third of its oil from foreign sources. Moreover, it is logical to assume that, as the economy improves, demand for energy -- and for imported oil -- will increase, thereby heightening the potential economic effects of an oil cutoff. Thus, there is an obvious and undeniable need to protect ourselves -- as much as possible -- against such interruptions by finding and producing domestic oil and gas resources.

Summary

In summary, there is no legitimate reason for singling out petroleum operations for exclusion from wilderness areas. Indeed, quite the opposite is true. Careful petroleum exploration and production, rehabilitation techniques and stringent environmental laws and regulations make oil and gas activities in sensitive areas more acceptable now than ever before. The nation's petroleum industry has operated and continues to operate without permanent impairment of environmental or wilderness values.

Yet S. 2801 would permanently withdraw millions of acres of potentially energy bearing lands from oil and gas leasing. It would do so without knowing first what resources might be there, at the expense of national security and of the nation's general economic well-being.

For these reasons, API and the petroleum industry vigorously oppose passage of the Wilderness Protection Act of 1982.

Senator WALLOP. You know, I share with you—I was particularly interested in the response or the testimony of Mr. Pitcher that Conoco did recognize the value of withdrawing that which is designated as wilderness, but these other extended lands, I believe that we ought to move at least with some understanding of what we are doing.

Would any of the others of you—with experience as a geological engineer, do you have anything to add to my questions on the effect of seismic conducted without explosives?

Mr. HALL. Well, sir, I think it has been made perfectly clear from the people with good technical background as opposed to some of the people making the other assertions that you have got to have your explosive in certain areas.

Senator WALLOP. Governor Peterson referred to well-documented damage that comes from seismic exploration, and I had intended to ask him and will by correspondence, but it was the timing. Is there well-documented evidence?

Mr. HALL. I know of none, but I would defer to the rest of the panel. Has anyone heard of any?

Mr. PITCHER. I was interested to hear him say that because I spent a long time with him talking about our sites. He was convinced that our sites would not be extensive in damage. It is not.

Senator WALLOP. It is your company that has the leases from the Audubon Society, conducted seismic operations there?

Mr. PITCHER. Right.

Mr. CHRISTIANSEN. Mr. Chairman, Atlantic Richfield Co. certainly knows of no great documentation regarding damage, extensive damage caused by seismic activity.

I might add I am not an explorationist by training. I am an engineer so I can only relate what my people tell me, but in talking with our explorationists, I understand in certain heavily wooded areas specifically in the east where we are interested in the eastern overthrust as well as the western, we find that the environmental surface disturbance if you will, associated with the use of these small backpack transportable drill rigs, earth loggers, post-hole diggers—

Senator WALLOP. How deep do they go?

Mr. PITCHER. Fifty feet at a maximum.

Mr. CHRISTIANSEN. The surface disturbance associated with them in that kind of terrain is far more than would be necessary were you to use helicopter transportable seismic equipment because there physically isn't room to get the equipment in there without cutting down a lot of trees. The other can be done by basically one man carrying this thing on his back.

Senator WALLOP. I wonder if, well, if any of you, but just speaking for the industry, if you could give your organizations separately, their view as to the state of the art with respect to seismic capability? Just submit it for the record. I am not asking for it now.

Mr. PITCHER. Was your question what do we think the present-day art is?

Senator WALLOP. Just a description of what can and cannot be done with seismic operations and what damage there is in your experience.

Mr. PITCHER. My experience is that access to remote areas and development along the thrust belt, there has been a lot developed in the area of portable seismic, and we have received some very good reports in those areas with minimal surface damage.

Senator WALLOP. Well, if you can submit that for the record I would appreciate it.

[Subsequent to the hearing, Mr. Pitcher and Mr. Christiansen submitted the following:]

Max G. Pitcher
Vice President &
General Manager
North American Exploration

Conoco Inc.
P.O. Box 2197
Houston, TX 77252

1982 OCT -8 1:11:36

October 5, 1982

Senator Malcolm Wallop
#204 Russell Senate Office Bldg.
Washington, D.C. 20510

Dear Senator Wallop:

It was a pleasure for me to appear before your committee. I appreciate the opportunity to give Conoco's position on Senate Bill 2801. I have submitted the State of the Art of Portable Seismic in the remote areas by the usual channels.

The estimate was made before my testimony that two billion barrels may exist in the possible withdrawal area and I think you asked whether that was significant or not. To date, the state of Wyoming has produced 4.4 billion barrels and the Gulf of Mexico Offshore, 4.8 billion barrels. So we are talking about the possibility of half of the state of Wyoming or half of the Offshore Gulf of Mexico production. I agree, however, that you accurately estimate oil in place only by drilling.

Sincerely,

Max Pitcher

Max Pitcher

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EXPLORATION METHODS USED TO ACQUIRE SEISMIC DATA IN REMOTE AREAS

PRINCIPAL METHODS

There are two types of portable surveys that Conoco would consider when hiring a crew to work in remote and restricted areas. These methods are:

- a. Portable crew, using a surface source (dynamite or primacord)
- b. Portable crew using a drilled hole loaded with dynamite (approximately 40' deep).

These "portable" operations have similar characteristics. Both use the same type geophone and cable systems. All equipment is moved along the line of profile by helicopter or by individuals walking. No trucks are used on the line and a trail is not cut.

1. Surface Source - This is the main portable method used in the thrust belt. When using a surface source, the usual method is to suspend five pounds of dynamite three to four feet above the ground. A series of these five pound charges (10 total) are connected together by primacord, forming a source pattern several hundred feet in length. Both primacord and dynamite have greatly improved "flash" characteristics, and at present constitute almost no fire hazard. Two individual contractors, CGG and Seis Port, report that they know of NO fires started this year using this method.

2. Drilled Holes - Portable drills are used to drill the holes for this type of survey. These are relatively light weight units that break down into two or three components. Each segment is moved by helicopter to the drill site and the drill is reassembled as a complete unit, taking only a few minutes.

A routine hole depth that Conoco has used is 40-50 feet. Normally about 40 pounds of dynamite is used. When this explosive is detonated it does not blow out of the hole and is not a fire hazard.

This method gives improved data quality, when compared to the surface method. There is a cost increase of 50-75% over the surface method. It can't be used if drilling is difficult, as it is in some thrust belt areas.

SUMMARY

The improvements that have been made by the manufacturers of explosives over the past several years have resulted in products with a very low flash point. This has reduced the fire danger to near zero when using the surface source of portable exploration. Holes drilled with portable drills show the

Exploration Methods used to Acquire
Seismic Data in Remote Areas

Page 2

dedication of the industry to a continuing effort to develop methods that have further reduced the impact of seismic exploration in environmentally sensitive areas.

Other techniques, now primarily in the development stage, will further improve the ability of the industry to conduct exploration surveys with zero effect on the environment. These developments show the concern and dedication of management to continue to improve upon the methods used to explore for oil and gas in remote areas.

ARCO Exploration Company
Post Office Box 2819
Dallas, Texas 75221
Telephone 214 651 5151



September 29, 1982

1982 SEP 30 PM 4: 21

The Honorable Malcolm Wallop
Chairman
Subcommittee on Public Lands and Reserved Water
Committee on Energy and Natural Resources
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

Pursuant to your request, made during the September 23, 1982 hearing on S. 2801, The Wilderness Protection Act of 1982, submitted herewith is Atlantic Richfield Company's statement regarding the conduct and effects of state of the art seismic survey techniques developed for use in environmentally sensitive areas. We respectfully request that the attached statement be entered into the hearing record as a supplement to our earlier testimony.

Our attached statement is presented in non-technical terms and is, of necessity, brief. We can provide a more in-depth treatise on the subject if needed to enhance public understanding on this issue.

Again, Atlantic Richfield Company appreciates this opportunity to participate in meaningful efforts to resolve the controversy surrounding the wilderness issue.

Sincerely yours,

David R. Christiansen
Manager
Government Affairs

DRC:ew

Attachment

cc: The Honorable James A. McClure
Chairman
Committee on Energy and Natural Resources
United States Senate
Washington, D. C. 20510

Atlantic Richfield Company Statement
on
State of the Art
Seismic Techniques in Environmentally Sensitive Areas

Supplementary Testimony on S. 2801, The Wilderness Protection Act of 1982
Before the Subcommittee on Public Lands and Reserved Water of
the Senate Energy and Natural Resources Committee

There are four methods of seismic data acquisition that can be used in environmentally sensitive areas. These methods are vibroseis, conventional shot-hole crews, portable shot-hole crews, and surface shot crews. Terrain, topography, and other environmental factors determine which of these methods is employed in any given area. All of these methods apply the same basic technique of sending sound waves into the earth. These sound waves return from the earth and are recorded by a series of sensitive receivers (geophones) that have been placed along the surface of the ground. The differences in these techniques result from the manner in which the sound waves are generated and the mode of transportation used to get to sites.

The vibroseis method of collecting seismic data is exceptionally clean and efficient. In this method, a truck-mounted piece of equipment places a pad against the surface of the earth. This equipment vibrates rapidly, sending a sound wave into the earth that is returned and recorded by a series of geophones. Because the equipment is truck-mounted, this technique is limited to use in areas which are accessible by vehicle. It is used most often along existing roads, trails or in open fields. In developed areas, operating procedures dictate that the intensity of the vibration be attenuated to preclude damage to nearby structures. During the operation of a vibroseis unit the only noise is that of the truck engines and the only noticeable effect is a shaking of the ground for a brief period. The only possible visible sign that these operations have taken place could occur if the ground is wet; truck tracks might then remain. However, if the ground is soft, alternative seismic techniques will be employed. Otherwise, once the operation is completed there is absolutely no sign any operations have taken place.

Conventional shot-hole crews drill holes in the ground and place small dynamite charges in these holes. The explosion from the dynamite produces the necessary vibrations to record the seismic data. Like vibroseis operations, conventional shot-hole techniques are limited to areas that are accessible by truck. For conventional shot-hole operation, the drills are mounted on light trucks. Holes approximately four inches in diameter and anywhere from ten to 200 feet deep are drilled in a line every one hundred to two hundred feet. After the dynamite is placed in the hole, the hole is packed with either dirt or gravel. When the charges are fired, there is no visible surface expression of the explosion. Like the vibroseis, the only noticeable effect of this technique is a brief period of ground shaking. Prior to leaving an area, the crew will scatter or remove the dirt that was removed in making the hole. In heavily wooded areas there may be some small trees and brush which are cut and removed in order for the truck to pass. In extremely environmentally sensitive areas, this pass is restored as necessary.

The portable shot-hole crew employs the same technique as conventional shot-hole crews except that light weight portable drills are used instead of drills mounted on light trucks. This technique is used in those locations where trucks are unable to pass or would cause extensive environmental damage if they did pass. The drills, which are normally packed in or are dropped in by helicopter, are very similar to those used to drill fence post-holes. As with the conventional shot-hole crew, the environmental impact of the portable shot-hole technique is minimal. There may be some brush cleared to allow the crew to pass, but there is no opportunity for truck tracks to remain in soft ground.

In certain sparsely populated areas (primarily in the West and Alaska), surface shot crews may be employed. Where appropriate, this technique minimizes the acquisition cost for high quality seismic data. This technique uses a small (one to five pound) dynamite charge that is placed on a stake driven into the ground. Typically, the charge is placed from 1 1/2 to 3 feet above the surface, depending upon surface soil conditions. If adequate snow cover is present, the charge may be placed on top of the snow. Obviously, a loud report is produced when the charge is detonated, but that is the sole environmental impact of this technique. By proper shot placement, even minor root damage to the grass immediately below the shot is prevented. This technique has been carefully studied and approved for use by the U. S. Forest Service in the Bridger-Teton National Forests in Wyoming and the Kootenai National Forest in Montana and by the U. S. Fish and Wildlife Service in the Kenai National Moose Range in Alaska, to cite but three specific examples with which we have direct experience. Long term impacts to wildlife resources have been exhaustively studied and proven undetectable.

These four techniques (vibroiseis, conventional shot-hole, portable shot-hole, and surface shot) comprise the normal suite of options available to the geophysicist for obtaining seismic data in environmentally sensitive areas. When properly employed for each specific location, and when conducted in accordance with appropriate permit conditions and stipulations, resulting environmental impacts range from minimal to undetectable.

Senator WALLOP. Thank you all very much. We will move to the next panel, Mr. Adam Schultz, geophysicist, on behalf of the Wilderness Society; Mr. Ed Clark, Virginia Wilderness Coalition; Mr. Patrick Parenteau, vice president of Resources Conservation. Mr. Parenteau is not here, so if the two of you will come up?

STATEMENT OF ADAM SCHULTZ, GEOPHYSICIST, SEATTLE, WASH.

Mr. SCHULTZ. Mr. Chairman, my name is Adam Schultz. I am a geophysicist for Seattle, Wash. I have come to testify on behalf of the Wilderness Protection Act of 1982. Primarily I will address section 4 of S. 2801.

As has been said before, seismic exploration is used universally throughout the industry as a method of identifying subsurface resource-bearing rock structures. Indeed, seismic control is at the present time considered to be a required part of the evaluation process throughout the oil industry and drilling will rarely occur without seismic work. I would like to review how seismic energy is generated by the detonation of explosives at or near the Earth's surface, or by the activation of airguns or the operation of hydraulically powered vibrator trucks.

In order for airguns or vibrator trucks to be employed, roads have to be built into wilderness areas. For a survey of any practical size, the number of roads will be great and the wilderness areas will be permanently harmed. The use of truck-mounted seismic sources is also highly disrupting because of the considerable vibratory energy sent through the Earth. The effects of the propagation of this energy can be felt for a considerable distance from the source and will disrupt the activities of man and prove a significant damaging influence—

Senator WALLOP. Could you define "considerable distance"?

Mr. SCHULTZ. You could be talking of over a mile or so, so if you have a wildlife habitat in the area, the animals will be affected by the actual vibra-size truck operations.

In the case of explosive sources of seismic energy, seismic crews employ explosive charges most frequently buried in shallow wells. The holes are usually packed with mud and the shot discharged. Unfortunately, the seismic survey may employ thousands of holes. Usually associated with each hole is a holding pond for the mud used to tamp the charge. It is also necessary to have a portable drill rig used to drill the hole, and roads on which the the drill rig, or by helicopter, can be transported. The planting of thousands of geophones also has considerable impact.

It is possible for seismic energy to be explosively generated at or just above the surface. Charges are placed on short stakes and detonated. The environmental impact of the detonation of these charges is minimized. No drill rig is necessary, and a survey can be conducted with fewer roads.

The environmental consequences of the noise of the explosion, the operation of recording machinery, and the stringing of lines and geophones still exists in this type of operation and remains inconsistent with environmental considerations.

In addition, seismic crews often work on an incentive pay basis. As a result of this, surveys will be conducted at an extremely fast pace, resulting in excessive environmental impact. The use of flash-retardant explosives does not guarantee lack of fire hazard. Indeed brush and forest fires have resulted from the operation of such seismic crews.

It is also crucial to note that target areas are routinely resurveyed. Most geophysical exploration results in data which is proprietary. Competing companies will commonly enter areas already explored and perform similar or even identical surveys. Even a single company may find it necessary to reenter an area and repeat a survey. I, therefore, stress that opening an area to exploration will make possible repeated onslaughts of highly disruptive seismic exploration.

In my estimation, the very act of seismic exploration results in significant damage to the environment of a wilderness area, and is inconsistent with the wilderness designation.

I would like to digress and just respond to some things that were said earlier also quickly. We are not talking about necessarily wildlife refuge. We are talking about wilderness areas, and I can speak from experience in my own State of Washington. Wilderness areas can be so sensitive that backpackers will seriously damage a wilderness area. People are switching to low-impact hiking boots just

because of the sensitivity of the wilderness areas, and these explorationists are talking about drilling holes and setting off explosives.

The words "minimization of damage" is a very relative term. What does minimization of damage do? And I would claim that any seismic work still is unnecessarily damaging.

As the science of geophysics progresses, more techniques become available to the explorationists. It is certainly conceivable that a high resolution nonseismic technique will come into usage in future years. Indeed a great deal of effort is being expended in the development of such techniques today. The impact of such exploration can be minimized by regulation of operation procedures. Many techniques employ aircraft directly, and the knowledgeable use of proper aircraft operating procedure is necessary to prevent adverse environmental impact in wilderness areas.

In short, it is unwise to allow seismic exploration in wilderness areas. Seismic exploration represents only the current level of geophysical technology. In the future, other far less devastating exploration tools will likely be available to the geophysical community.

A quick summation—I also feel that while the act of exploration is synonymous with the intent and right to drill, just because of the vast amount of money required in the exploration process, a company is not going to go in unless they know if they find something they can drill. Therefore, you also have to take into account the impact of drilling if oil is found and you have the production facilities that also impact on the environment, so all told, I would strongly support the bill in its current form. Any proposed amendments that will allow seismic exploration using explosives especially should be viewed with great alarm.

Thank you.

[The prepared statement of Mr. Schultz follows:]

STATEMENT OF ADAM SCHULTZ, GEOPHYSICIST, BEFORE THE SENATE
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
23 September 1982

Mr. Chairman, my name is Adam Schultz. I am an independent geophysical consultant in Seattle, Washington and am currently preparing my doctoral dissertation in geophysics. I have worked for a major U.S. oil company in exploration research, and have been employed overseas as a consultant for the production division of a foreign oil company. For the past five years I have been involved with geophysical research aimed at determining the structure and composition of subsurface rock strata by the indirect sensing of the electrical properties of these formations. Toward these ends I have worked as a Geophysicist for the U.S. Geological Survey and am currently classified as a Physical Scientist by the National Oceanic and Atmospheric Administration.

Summary

As a Geophysical Consultant, I feel I have a vested interest in the exploration and development of our country's natural resources. However, upon the careful consideration of the value of these resources, it becomes obvious that the intrinsic value of our national wilderness preservation system far exceeds any value that can be placed on the exploitation of these lands for mineral or hydrocarbon content. As a result of this consideration, I have come to testify on behalf of the "Wilderness Protection Act of 1982" - S. 2801.

Incompatibility of Exploration and Wilderness

I wish to address Section 4 of S-2801. My specific reference concerns the suitability of applying geophysical exploration techniques to national forest or

public lands covered in Section 2 of the Act.

Geophysical exploration is routinely carried out as a necessary part of the assessment of the hydrocarbon and mineral resource content of an area. Once a promising area has been identified, high resolution geophysical measurements are made in that area. Seismic exploration is used universally throughout the industry as a method of identifying sub-surface resource bearing rock structures. Indeed, this 'Seismic Control' is considered to be a required part of the evaluation process throughout the oil industry, and drilling will rarely occur without seismic work.

It is relevant at this point to summarize the nature of seismic exploration. Acoustic energy is generated at or near the earth's surface. This energy propagates through the various strata and is either reflected at the boundaries between rock strata, or refracted along the boundaries. Modern high resolution seismic surveys use the part of the seismic energy resulting from the reflection process.

There are three aspects of seismic exploration methods which have a direct impact on the study area. The first aspect is the nature in which seismic energy is generated. It is the goal of the explorationist to maximize the amount of energy propagated into the earth. The greater the amount of energy reaching any given rock layer, the better defined that layer will appear in the seismic traces recorded on the surface. In other words, a deeper and clearer picture of subsurface rock structure will result from a higher energy seismic source than from a lower energy source.

Seismic energy is generated by the detonation of explosives at or near the earth's surface, or by the activation of airguns or the operation of hydraulically powered vibrator trucks (Vibroseis).

In order for airguns or vibrator trucks to be employed, roads must be built into Wilderness areas. For a survey of any practical size, the number of roads will be great, and the Wilderness Area will be permanently harmed. The use of truck-mounted seismic sources is also highly disrupting because of the considerable vibratory energy sent through the earth. The effects of the propagation of this energy can be felt for a considerable distance from the source (up to miles) and will disrupt the activities of man and prove a significant damaging influence on the sensitive local wildlife habitats.

In the case of explosive sources of seismic energy, seismic crews employ explosive charges, most frequently buried in shallow holes or wells (50-300 feet). The holes are packed with mud, then the shot discharged. The deeper the hole, the better the coupling between the charge and the earth, and the greater the amount of energy propagated through the earth.

When an explosive charge has been used in a manner which optimizes the amount of information returned to the sensors, sizable holes are left in the ground. It is possible to minimize the damage related to the explosion of dynamite by trading off the depth and size of the holes with the quality of data recorded. The smaller the hole, the lower the overall data quality. As implied before, there is also a tradeoff between the size of the explosion and the quality of the data returned.

In recent years, a technique known as Common Depth Point Stacking (CDP) has become popular. In areas of complex geology, a large number of shallow holes will be dug in a series of linear arrays. A geophone will be emplaced next to each hole, and an explosive charge will be placed on the bottom of the hole. A shot will be successively fired from each of the holes, and the information recorded at each of the geophones. In this way, data distortion effects due to complex geology are minimized, and a more detailed picture of sub-surface

structure can be made.

Unfortunately, traditional seismic and CDP surveys may employ hundreds or even thousands of holes. Usually associated with each hole is a holding pond for the mud used to tamp the charge. It is also necessary to have a portable drill rig used to drill the hole, and roads on which the drill rig can be transported. The planting of thousands of geophones also has considerable impact.

It is possible for seismic energy to be explosively generated at or just above the surface. Charges are placed on short stakes and detonated. A signal is generated which is not optimally coupled to the earth, but which does provide useful shallow information. This technique has been employed in sensitive parts of the Williston Basin. The environmental impact of the detonation of these charges is minimized, no drill rig or tamping mud is necessary, and the survey can be conducted with fewer roads. Such a technique could only be used in areas where only shallow information is needed, and is not applicable to most areas. The environmental consequences of the noise of the explosion, the operation of recording machinery and the stringing of lines of geophones still exists in this type of operation and remains inconsistent with environmental considerations. In addition, seismic crews often work on an incentive pay basis. As a result of this, surveys will be conducted at an extremely fast pace resulting in excessive environmental impact. The use of flash-retardant explosives does not guarantee a lack of fire hazard. Indeed, brush and forest fires have resulted from the operation of such seismic crews.

It is also crucial to note that target areas are routinely re-surveyed. Most geophysical exploration results in data which is proprietary. Competing companies will commonly enter areas already explored and perform similar or even identical surveys. Even a single company may find it necessary to re-enter an area and repeat a survey, or some modification of a previous survey. I therefore

stress that opening an area to exploration will make possible repeated onslaughts of highly disruptive seismic exploration.

In my estimation, the very act of seismic exploration results in significant damage to the environment of a Wilderness Area, and is inconsistent with the Wilderness designation.

Non-Seismic Methods

As previously stated, 'Seismic Control' is required prior to drilling. As the science of geophysics progresses, more techniques become available to the explorationist. It is certainly conceivable that high resolution non-seismic techniques will come into usage in future years. Indeed, a great deal of effort is being expended in the development of such techniques today. Many of these techniques are passive, entailing the measurement of naturally occurring phenomenon. These include gravity measurements, magnetic field measurements, the measurement of time-varying magnetic and electric fields (magnetotellurics) and remote sensing. Other techniques employ the generation of an artificial signal (as in seismics). Many types of low or no-impact signals can be generated. These include induced polarization, the wide range of active-source electromagnetic methods and synthetic aperture radar. The impact of such exploration can be minimized by regulation of operating procedures. Many techniques employ aircraft directly (aeromagnetics, airborne electromagnetics and the newly developed aerogravity) or in the form helicopter transportation (air-assisted gravity, helicopter transport for ground-based surveys). The knowledgeable use of proper aircraft operating procedure is necessary to prevent adverse environmental impact in Wilderness areas.

In short, it is unwise to allow seismic exploration in Wilderness areas.

Seismic exploration represents only the current level of geophysical technology. In future, other far less devastating exploration tools will likely be available to the geophysical community.

The Intent of Exploration

Based upon my experience as an oil company employee and oil industry consultant, I feel I can state that the act of exploration is synonymous with the intent and right to drill. This statement is borne out by common sense. No oil or mineral company would explore in an area if there were no guarantee of development. Exploration is a fabulously expensive proposition. The evaluation of the hydrocarbon or mineral potential of an area can cost tens of millions of dollars or more. It is assured that a company would never spend this great amount if it were not guaranteed exclusive development rights to any resources it located.

I suggest then that the issuing of exploration leases is a universally recognized intent to develop.

Development

The fact that exploration is associated with intent to develop suggests that the effects of development must be included in any discussion of the environmental effects of opening wilderness areas to exploration. Needless to say, the construction of roads for transporting drilling and mining equipment, the location of that equipment and support personnel and the associated pipelines and transportation facilities are all inconsistent with Wilderness Designation. A Wilderness area cannot, by definition, support resource development. Therefore, the

issuing of leases for exploration must be, and can only be, interpreted as the intent to remove the target area from Wilderness Designation

Discussion of Proposed Amendments

Any proposed amendment to the Act allowing seismic exploration utilizing explosives should be viewed with alarm. As already described in detail, this method of exploration results in significant damage to the Wilderness environment and is inconsistent with Wilderness Designation. As a result, I strongly urge the defeat of such an amendment.

I would also like to go on record in stating my opposition to to permanent "Hard" release of Forest Service potential Wilderness lands. To state briefly, lands being studied for Wilderness designation should be afforded protection similar to currently designated Wilderness. This is consistent with my previous statements that seismic exploration is inconsistent with Wilderness environment. The act of exploration in such lands can effectively remove the Wilderness characteristics under study.

Senator WALLOP. Thank you.
Mr. Clark?

**STATEMENT OF EDWARD E. CLARK, JR., CHAIRMAN, VIRGINIA
WILDERNESS COALITION**

Mr. CLARK. Thank you, Mr. Chairman. My name is Edward Clark, and I am chairman of the Virginia Wilderness Coalition.

The Virginia Wilderness Coalition is a group of more than a dozen citizen conservation organizations from across our state which have banded together for the purpose of advocating protection of wilderness resources in Virginia through both legislative and administrative means.

For the last 6 or 7 years, the Virginia Wilderness Coalition has focused its attention on the lands within the two national forests found within our State—George Washington and the Jefferson National Forest. We have worked very closely with the Forest Service staff in identifying those areas that were evaluated under RARE II.

Now that the RARE II study has been completed, we are working very closely in a continuing manner with the Forest Service staff to plan for the future management of these areas to make plans that are both appropriate and consistent with the intent of that is relevant to such planning.

In Virginia as in many other Eastern States there is very little land left which is even eligible for consideration as wilderness, and still less which enjoys wilderness designation. For the 375 years since this country was established, or at least begun in Virginia, it seems our main purpose has been to dig up, plow up, or chop down as much of the natural resources as we thought possible.

Now, however, times have changed. The mark of a civilized person is no longer this unbridled attempt and desire to exploit nature. Rather there is an awareness of the need to preserve a portion of our natural heritage. In Virginia we have only 17 or so small pockets of wild land remaining in the national forests in the State. Many of these are less than 5,000 acres in size. As you might expect, being so small in size and so few in number, any intrusion at all, especially the type associated with oil and gas exploration, would have a tremendously negative impact on the areas.

S. 2801 will remove this threat and withdraw these few pockets of wild lands left from such potentially devastating activity.

Allow me to expand just a little bit on the resources we have left. We have merely one wilderness area in our national forest in Virginia—8,700 acres. We have only four wilderness study areas. We have only 10 additional areas that were recommended for wilderness, and each of those averages less than 6,000 acres. These areas are additionally grouped with a few others that were put into the further planning category, and among those in the further planning category are some that we would like to have protected until they can adequately be assessed for their wilderness potential.

We have 1,600,000 acres of national forest in our State, and we are talking about a mere 6-percent withdrawal—hardly an unfair request.

I heartily urge you to support and to pass S. 2801, reporting it to the full floor.

Perhaps it is my failure to adequately understand the exploration process, but a point that was raised by my colleague a moment ago about the information gathered in exploration is one which I at least find very troubling, that the exploration will help us determine the ultimate disposition and planning for these public lands.

As was mentioned, it has been my understanding that the information gathered from private exploration conducted by the lessee is proprietary information and subject to confidential treatment as a trade secret so to speak. There is in fact competing interests involved here, and I fail to understand how this can be defended as assisting the public management of these lands.

In conclusion, I would like to publicly thank my Senator, Senator Warner from Virginia, for cosponsoring this measure, and I think Senator Warner has displayed time and again that he is keenly aware of the support that exists in Virginia and elsewhere for such measures. I would like to publicly thank him, to encourage him to continue in this, but also like to encourage the committee to report the bill intact without the hard release amendment, without any weakening amendments, for its full passage, and I thank you for the opportunity to appear.

Senator WALLOP. Thank you very much, Mr. Clark.

[The prepared statement of Mr. Clark follows:]

STATEMENT OF EDWARD E. CLARK, JR., CHAIRMAN OF THE VIRGINIA WILDERNESS COALITION, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE, ON S. 2801, THE WILDERNESS PROTECTION ACT OF 1982, SEPTEMBER 23, 1982

Mr. Chairman, I am Edward Clark, Chairman of the Virginia Wilderness Coalition. The Virginia Wilderness Coalition is a group of more than a dozen citizen conservation organization from across the state which have come together for the purpose of advocating the protection of wilderness resources in Virginia through legislative and administrative means. For the last six or seven years the Virginia Wilderness Coalition has focused its attention on the lands within the two national forests in our state, the George Washington and the Jefferson. Working closely with the Forest Service, we helped to identify the lands which were evaluated under the Roadless Area Review and Evaluation, more commonly known as RARE II.

Now that the RARE II study has been completed, and the recommendations made, we are continuing to work with the Forest Service to develop appropriate management strategies which will guarantee that those areas identified as potential wilderness candidates and those areas for which further study is in order, will be protected from activities that would unacceptability compromise their integrity.

In Virginia as in many other Eastern states there is very little land left which is even eligible for consideration as wilderness, and still less which enjoys wilderness designation. For much of the time since the establishment of the first colony in Virginia in 1607 it seems that the main goal of the state's inhabitants was to plow up, dig up or chop down as much of the state as possible. Now, however, times have changed. The mark of a civilized person is no longer an unbridled desire to exploit nature, Now there is an awareness of the need to

preserve a portion of the natural heritage which has helped to make our state and our nation great today.

The 17 or so pockets of wild land which remain in Virginia's national forests average far less than 10,000 acres in size. Many are less than 5,000 acres. As you might expect, being so small in size and so few in number, any intrusion, especially of the type associated with oil and gas exploration and development, would have a tremendously negative impact upon these areas. S. 2801 will remove the threat of such intrusion, by withdrawing the few remaining pockets of wild land on the state's two national forests from such potentially devastating activity.

Allow me to put the magnitude of the risk which is posed by oil and gas leasing in Virginia into some clearer perspective. Virginia's national forests have only one designated wilderness area, James River Face, which contains a mere 8,700 acres. We have only four wilderness study areas: Ramsey's Draft, 8,000 acres; Mill Creek 4,000 acres; Peter's Mountain, 4,100 acres, and; Mountain Lake, 11,000 acres. And we have only ten additional areas on the two national forests which have been recommended for wilderness designation by the RARE II study. On the George Washington, the three recommended areas are: St. Mary's, 10,100 acres; Rough Mountain, 9,200 acres, and; Head of Dry River, 1,300 acres. On the Jefferson National Forest the recommended areas include: Beartown, 6,000 acres; Little Dry Run, 3,000 acres; Lewis Fork, 5,700 acres; Little Wilson Creek, 3,500 acres, and; Kimberling Creek, 5,600 acres. In addition to these areas which in one way or another have been identified as potential wilderness areas, there are several more areas which were designated for further planning. Among these areas as well,

are a number that the Virginia Wilderness Coalition feels are more than worthy for wilderness consideration.

If S. 2801 is not passed, every single one of the areas which I have mentioned will be affected by oil and gas leasing. Virginia simply cannot afford to have its last remaining wild areas opened up to exploitation.

It is essential that S. 2801 be passed before this Congress adjourns. The planning process for the future of the national forests in Virginia is underway. If this bill is not passed now, 1983 may see irrevocable changes to the crown jewels of our state's natural resources. I am sure that other states are in the same situation.

I would also encourage you to resist any and all efforts to weaken or compromise the provision of the bill. As written, it provides the protection necessary to shield our wilderness resources from unnecessary threats, while at the same time allowing for extenuating circumstances which may make entry into these areas necessary if the national interest is at stake.

Finally, if I may, I would like to specifically thank Senator Warner for the leadership and farsighted concern which he has displayed by his cosponsorship of this bill. Senator Warner has been keenly aware of the support which exists in Virginia for conservation measures such as this, and has consistently taken stands for the protection of our precious natural resources. I would like to publically thank him for his efforts and encourage him to continue the fine record which he has built on matters related to the preservation of wilderness.

Thank you for the opportunity to appear before this committee.

Senator WALLOP. Mr. Schultz, let me just ask you, do you view the damage that you cite from seismic operations as permanent damage?

Mr. SCHULTZ. Well, it depends on how you define permanent. I can see it being a relatively long period. In certain areas it could be permanent.

There are proposals now to drill, to explore in the Alpine Lakes Wilderness in Washington, and that is a high alpine base and in any exploration there would be permanent damage, even a small hole in some of those areas.

Senator WALLOP. Presumably those judgments are made individually anyway, are they not? I am talking about generally. Obviously there are some areas where drilling is more, has more effect on the surroundings.

Mr. SCHULTZ. It has to be done on a site-by-site basis. Obviously short term I think everyone, even the industry, will agree there is damage. I don't think anyone can deny that. The question is how much damage are you willing to accept and what timeframe are you willing to accept to heal the damage? If it is 1 year to 5—it is usually going to be longer than that.

Senator WALLOP. That is, of course, the question, whether you are doing permanent damage to something that has been set aside in return for knowledge of permanent value to the country. That is one of the things that we are forced in our business to weigh the balance, both sets of things, for the future.

Mr. SCHULTZ. If I can make one quick comment, if you cut down the forest and then let the land lay fallow, the forest will eventually return.

Senator WALLOP. That is not exactly what we are talking about, though, is it? You can make any reaching simile, but what you want to do, and I think for the benefit of all, is to stay with what is actually the potential, and then we will have a much more clearly defined philosophical argument.

Mr. SCHULTZ. Sure.

Senator WALLOP. I thank you both very much. The next panel is Mr. Robert Rolander, Public Service Co. of Colorado on behalf of the National Association of Manufacturers; Mr. F. S. Mooney, executive vice president of Gulf Mineral Resources Co.; Mo Turner, president, American Institute of Professional Geologists from Denver; Courtland Lee, consulting geologist, Minerals Exploration Coalition of Denver. Mr. Rolander?

STATEMENT OF ROBERT ROLANDER, GOVERNMENT AFFAIRS REPRESENTATIVE, PUBLIC SERVICE CO. OF COLORADO, REPRESENTING THE NATIONAL ASSOCIATION OF MANUFACTURERS

Mr. ROLANDER. Thank you, Mr. Chairman. My name is Bob Rolander. I am a Government affairs representative with the Public Service Co. of Colorado.

First of all, Mr. Chairman, I am not holding myself out to be an expert in this field. I am not a scientist. I am not an engineer. However, I am an attorney and know somewhat the effects of legislative language as it relates to S. 2801.

Anyway, my company is an investor-owned electric utility, natural gas and steam utility, which provides steam service to Denver. It is the largest energy utility in Colorado with an electric generating capability of approximately 2,600 megawatts, and daily natural gas availability of 1,425 billion cubic feet. You can see that I represent a company, and not only that company, but an industry that is completely concerned about the passage of Senate bill 2801. We are concerned about employment. We are concerned about jobs. We are concerned about providing the energy that must maintain the economic viability of our great country.

I am also testifying for another organization which you can see is extremely interested in the nonpassage of this bill and that is the National Association of Manufacturers. The National Association of Manufacturers is a voluntary organization of industrial and business firms, both large and small, located in every State. They have some 11,000 member companies and are affiliated with an additional 158,000 companies through its associations department and the National Industrial Council. Together these firms represent 80 percent of our national industrial output, 85 percent of the industrial employment.

NAM represents producers, processors, and users of American natural resources, and it is, therefore, deeply concerned with the U.S. growing dependence on foreign sources of energy and minerals. These resources are essential to manufacturing, the economy, and our national security. As such, we are concerned with any legislative proposal that further impairs our ability to produce adequate amounts of domestic oil, gas, and minerals.

Senate bill 2801, the Wilderness Protection Act of 1982, does just that. NAM strongly opposes this measure. Further, Mr. Chairman, I am speaking on behalf of a loosely knit organization representing some 250,000 people in the State of Colorado known as the Colorado Resource Consortium which also opposes Senate bill 2801. I am submitting a copy of the consortium's mailing list for the record,¹ if I may do so.

Senator WALLOP. By all means.

Mr. ROLANDER. Many advocates of this bill claim the bill is necessary in order to preserve our Nation's wilderness areas, our crown jewels, from the chain saw and the bulldozer.

The same proponents also view the bill as a compromise measure. We feel it is neither.

Mr. Chairman, I am submitting the rest of my statement so it can be part of the record, and I know I only have probably 15 seconds left to go.

Senator WALLOP. About a minute.

Mr. ROLANDER. That's more than I thought, sir, but we have to maintain to look at this piece of legislation as a compromise. We feel S. 2801 is not a compromise. To have a compromise, a true compromise, any future bill must provide permanent release language for those 36 million acres determined to be unsuitable for wilderness under the 1979 RARE II study; also must provide provisions for the immediate reversion of BLM wilderness study areas to multiple use once they are determined to be unsuitable for wilder-

¹ Retained in subcommittee files.

ness designation; also must provide the opportunity to explore wilderness areas at least until the statutory deadline of December 31, 1983, for inventory purposes.

Mr. Chairman, in my next 10 seconds I would like to share a statement that was made to me by a Spanish American friend as it relates to wilderness and the wilderness process. We were sitting down chatting about the various economic affairs of the States. We were talking about wilderness, and this gentleman says, "Do you know what the wilderness process means to me?" This is a Spanish American, and certainly knows a lot about discrimination. He says to me it is a prime example of sophisticated racism. Now that might or might not be a truism. I did want to share that with you, and I want to thank you on behalf of the NAM for the opportunity to appear before you and the subcommittee today.

I hope we can work together in future times.

[The prepared statement of Mr. Rolander follows:]

Testimony of
Robert Rolander
On Behalf of the
National Association of Manufacturers
on S. 2801
The Wilderness Protection Act of 1982
Before the
Subcommittee on Public Lands and Reserved Water
September 23, 1982

Mr. Chairman, my name is Bob Rolander, I am a Government Affairs Representative for the Public Service Company of Colorado. The Public Service Company is an investor-owned electric, natural gas and steam utility, which provides steam service to Denver. It is the largest energy utility in Colorado, with an electric generating capability of approximately 2,600 megawatts and daily natural gas availability of 1,425 billion cubic feet.

I am testifying today on behalf of the National Association of Manufacturers (NAM). The National Association of Manufacturers is a voluntary organization of industrial and business firms, both large and small, located in every state. NAM has over 11,000 member companies and is affiliated with an additional 158,000 companies through its Associations Department and the National Industrial Council. Together, these firms represent 80 per cent of our national industrial output and 85 per cent of industrial employment. NAM represents producers, processors and users of America's

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natural resources, and is, therefore, deeply concerned with the United States' growing dependence on foreign sources of energy and minerals. These resources are essential to manufacturing, the economy and our national security. As such, we are concerned with any legislative proposal that further impairs our ability to produce adequate amounts of domestic oil, gas, and minerals. S. 2801, The Wilderness Protection Act of 1982, does just that. NAM strongly opposes this measure. Further, Mr. Chairman, I am speaking on behalf of a loosely knit organization known as the Colorado Resource Consortium, which also opposes S. 2801. I am submitting a copy of the Consortium's mailing list for the record.

Many advocates of S. 2801 claim the bill is necessary in order to preserve our nation's Wilderness heritage, our "crown jewels", from the "chainsaw and the bulldozer." These same proponents also view the bill as a compromise measure. We feel it is neither.

Not in the Public Interest

To begin with, not only is S. 2801 unnecessary, it is not in the public interest.

S. 2801 seeks to lock-up 35 million acres of public lands without adequate inventories of the resources these lands contain. These lands contain publicly owned natural resources that belong to all Americans. The public has a right to know the nature, extent and location of these resources; in essence, we have a right to know what we are being asked to give up.

Ignores the Inventory Process

S. 2801 considers only Wilderness preservation, without regard to other, equally legitimate needs. It ignores the public interests served by meaningful resource inventories, informed land use decisions, and an orderly, phased and environmentally sound exploration and development program in the portions of wilderness study and candidate areas found to have high energy values. We should remember this country is still:

- a net importer of logs,
- over 50% dependent upon foreign sources for 9 of 13 basic industrial minerals,
- spending \$80 billion per year for foreign oil.

Amends the 1964 Wilderness Act

S. 2801 represents a breach of promises made by Congress and the environmental groups in the National Wilderness Preservation Act of 1964. This act permits seismic surveys and other inventory/exploration activities, even after the proposed areas were designated as Wilderness. S. 2801 reverses repeated assurances that highly prospective energy and mineral areas could be set aside as Wilderness and wilderness study areas, without harming this nation's ability to inventory the public's resources and meet economic, industrial and national defense needs.

Wilderness Protected

To date, no development activities have taken place in Wilderness designated areas. All mineral leases issued in Wilderness areas contain stipulations to protect the Wilderness character of the area. All of the present leases (39 total) in existing Wilderness contain "no surface occupancy" stipulations. It should also be noted that contrary to what many have heard, all the land affected by coal, sand and gravel, and "hardrock" (phosphate, metallic, et cetera) mining since 1930, taken together, totals only 5.7 million acres. This is one quarter of one per cent of the land area of the United States. Over one-half of this 5.7 million acres has already

been reclaimed. Similar figures apply with respect to oil and gas development, the industries most affected by this bill.

These facts, coupled with the fifteen major environmental protection acts passed in the last decade, assure this country of a Wilderness heritage.

We feel compelled to ask for assurance of another equally important national heritage -- that of a strong economy, and adequate supplies of domestic natural resources to fuel and defend it.

S. 2801 Not a Compromise

S. 2801 is not a "compromise." Besides the vast amount of public lands hastily withdrawn, S. 2801:

- ignores the dynamics of the exploration process, to include seismic testing, in mineral surveys, thus interfering with the Wilderness study process itself,
- contains an unworkable "urgent national need" provision and fails to define the term, thus leaving us unable to respond in a timely or environmentally sound manner to any crisis that creates a need to open Wilderness areas,
- contains completely inadequate "valid existing rights" language by failing to address what constitutes the right of access and development to established leases and claims,

- breaches the compromise of the 1964 Wilderness Act by closing the December 31, 1983 window for exploration in Wilderness,
- contains no "release" language, which is designed to insure that areas studied for Wilderness do not remain in de facto Wilderness status, after it has been determined that they are not suitable for designation as Wilderness.

Of particular concern to us is the bill's lack of release language. Misconceptions frequently arise about release language. However, it is important to recognize the following facts:

- Currently, over 80 million acres of national forest, national park, wildlife refuge and BLM land are designated as Wilderness. Another 149 million acres have been set aside as Wilderness study or candidate areas. This 229 million acre total represents 31 per cent of all our public lands; it is equal to all the land in California, Nevada and Arizona combined.
- Contrary to repeated claims "release" in no way creates or implies a "mandate to develop" any of the lands returned to non-wilderness management. It simply means lands are returned to the management status they held prior to their identification for Wilderness study. No development can occur on any released lands until all applicable environmental study and permit requirements have been met.

Thus to be a true compromise, any future bill must provide:

- permanent release language for those 36 million acres determined to be unsuitable for Wilderness under the 1979 RARE II Study,
- provisions for the immediate reversion of BLM Wilderness Study Areas to multiple use once they are determined to be unsuitable for Wilderness designation,
- the opportunity to explore Wilderness areas at least until the statutory deadline of December 31, 1983, for inventory purposes.

Mr. Chairman, on behalf of the NAM I thank you for the opportunity to appear before you and the Subcommittee today. We look forward to working with you in developing a truly balanced compromise of S. 2801.

Senator WALLOP. Thank you, Mr. Rolander.
Mr. Mooney?

**STATEMENT OF F. STEVEN MOONEY, EXECUTIVE VICE
PRESIDENT, GULF MINERAL RESOURCES CO.**

Mr. MOONEY. Mr. Chairman, my name is Steve Mooney. I am Executive Vice President of the Gulf Mineral Resources Co., a division of Gulf Oil Corp. based in Denver, Colo., Gulf has extensive operations in oil and gas, coal, oil shale, and exploration for nonenergy minerals on public lands in the United States, and largely in the West.

I am here to offer arguments against S. 2801, the Wilderness Protection Act of 1982. I would like to reiterate what has been said here several times before, that long-term decisions such as those included in this bill cannot be based we think on conditions of the moment. Today's energy and mineral markets are slack. However, as the events of last week have made painfully clear, conditions in the rest of the world, especially the Middle East, can change quickly.

It is in our opinion not good public policy to limit our options with regard to the domestic natural resources when we are so clearly vulnerable to unpredictable foreign politics.

More specifically, we at Gulf oppose S. 2801 on two grounds. First, the legislation would relegate large areas of public land to the most exclusive form of use without first determining the value of ultimate uses.

Second, the legislation fails to define the deadlines for Congress to decide the highest and best use of the lands now proposed for wilderness.

We strongly support the long-established concept of multiple use for public lands and believe that only in carefully selected situations can we afford the luxury to dedicate land to a single use, be that for wilderness or any other narrow purpose.

Our main concern here is one of national security and economic viability, not direct impact on our corporate bottom line. There is we think a misconception that removal of lands from mineral development is somehow a defeat for the energy and mining companies. We think more properly that it is a defeat for our society. If we remove our own resources from consideration to wilderness designation or to other means, it simply makes us more dependent on other nations for our needs.

We recognize the value of setting aside lands for wilderness preservation. However, the designation of these lands should reflect a reasonable understanding of the tradeoffs involved. Under the RARE II wilderness inventory comments were solicited from the public about the value of the alternative uses of the land. However, no meaningful effort was made to evaluate the subsurface value of the tracts in the study.

Now this bill, 2081, would prohibit not only lease and adequate exploration in designated wilderness lands, but also on lands still under consideration. Such a policy insures that well-informed, intelligent designations of land to the wilderness status would be impossible.

It is hard to believe the American public would want, not want to know if a tract being considered for wilderness overlies a major oilfield. Such new information which is obtained conclusively only by seismic work and drilling would be vital to a balanced decision. This proposed legislation exhibits a complete misunderstanding of the essentials of petroleum mineral exploration methods or it is an effort to mislead the Congress into believing that adequate provisions have been made to assess the resources contained when there is actually no chance to accomplish this assessment under the restraints provided in the legislation.

It is too complex an issue I think to debate here, but my 25 years of experience in the business tells me that the provisions of section 4 of the bill could not produce a meaningful evaluation of any but the most simple geological conditions.

In order to give credence to the kind of geostatistical study described by the gentlemen from Oak Ridge, they are by definition speculations that are not data. The only real test for both petroleum and minerals is the drill bit, and the drilling can be carried out in an environmentally compatible manner. Moreover, Federal leases contain stipulations under which companies have been suc-

cessfully operating that are designed to insure that the disturbance caused by drilling is minimized.

In summary, we oppose the provisions of 2801 that lock up public lands before assessment of the mineral value is made, particularly those still designated study or further planning areas.

We also oppose 2801 because it fails to provide release language which specifies a reasonable deadline for Congress to designate areas as wilderness.

Thank you for this opportunity, Mr. Chairman. I will be pleased to answer any questions.

[The prepared statement of Mr. Mooney follows:]

STATEMENT OF F. STEVEN MOONEY
EXECUTIVE VICE PRESIDENT OF GULF MINERAL RESOURCES CO.
BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS & RESERVED WATERS
OF THE
SENATE ENERGY AND NATURAL RESOURCES COMMITTEE
Dirksen Senate Office Building, Room 3110
Washington, D.C.
September 23, 1982

Mr. Chairman, I am Steven Mooney, Executive Vice President of Gulf Mineral Resources Company, a division of the Gulf Oil Corporation, based in Denver, Colorado. Gulf has extensive operations in oil and gas, coal, oil shale, and exploration for non-energy minerals on public lands in the United States.

I am here today to offer arguments against S. 2801, the Wilderness Protection Act of 1982. At the outset, I would like to reiterate what has been said before here today. Long-term decisions such as those included in S. 2801 cannot be based on conditions of the moment. Today's energy and mineral markets are slack. However, as the events of this last week have made painfully clear, conditions in the rest of the world, especially the Middle East, can change quickly. It is, in our opinion, not good public policy to limit our options with regard to domestic natural resources when we are clearly so vulnerable to unpredictable foreign politics.

Specifically, Gulf opposes S. 2801 on two grounds. First, the legislation would relegate large areas of public lands to the most exclusive use without first determining

the value of alternative uses of the land. Second, the legislation fails to define deadlines for Congress to decide the highest and best use of lands now proposed for wilderness.

Gulf strongly supports the established concept of multiple use of public lands. Only in carefully selected situations can we afford to dedicate lands to a single use, be that use for wilderness or other narrow uses.

Our main concern here is one of national security and economic viability, not direct impact on our corporate bottom line. There is a common misconception that removal of lands from mineral development is somehow a victory for environmentalists and a defeat for the energy and mining companies. We think this is erroneous. It may be a victory for environmental organizations, but is a problem for our society, not for the companies. If we remove our own resources from consideration through wilderness designation or other means, it simply makes us more dependent on other nations for our needs. This probably enhances the value of the reserves and lands held by the companies today, if anything.

We recognize the value of setting aside land for wilderness preservation. However, the designation of these lands should reflect a reasonable understanding of the trade-offs involved. Under the RARE II wilderness inventory, comments were solicited from the public about the value of alternative uses for the land. However, no meaningful effort was made to evaluate the subsurface value of the tracts under study. Now, S. 2801 would prohibit not only leasing and adequate exploration on designated wilderness lands but also on lands still under consideration for wilderness. Such a policy ensures that well-informed, intelligent designations of lands to wilderness status will be impossible. It is hard to believe that the American public

would not want to know if a tract being considered for wilderness overlies a major oil field. Such new information, obtained conclusively only by seismic work and exploratory drilling, would be vital to a balanced decision to designate an area wilderness.

This proposed legislation exhibits either a complete misunderstanding of the essentials of petroleum and mineral exploration methods, or an effort to mislead the Congress into believing that adequate provisions have been made to assess the resources contained when there is actually no chance to accomplish this assessment under the restraints of the proposed legislation. This is too complex an issue to be debated here and now but my 25 years of experience in this business tells me that the provisions of Section 4 could not produce a meaningful evaluation of any but the simplest geological conditions--and you know the easy ones were found long ago. The only real test--for both petroleum and minerals--is the drill bit.

And drilling can be carried out in an environmentally compatible manner. Moreover, federal leases contain stipulations under which companies have been successfully operating, that are designed to ensure that the disturbance caused by drilling is minimized and reclaimed. Gulf supports reasonable guidelines and regular monitoring of drilling to ensure environmentally sound practices. What we oppose is a prohibition against exploring adequately the energy and mineral value of public lands before they are locked up and a prohibition against leasing before the mineral value of the lands is determined.

Perhaps the most onerous feature of this legislation, in our opinion, is its failure to specify reasonable deadlines for Congress to decide whether wilderness study areas and lands under further planning should be designated wilderness. Through the

legislative process, the American people have determined wilderness to be the highest and best use of some 23 million acres of public lands, albeit without full knowledge of their alternative values. However, S. 2801 would ban alternative uses on an additional 20.9 million acres of lands that have never been the subject of full and open debate in the Congress. Moreover, the bill places no time bounds on this restrictive use. In effect, it doubles by default rather than considered decision-making the amount of public land devoted to wilderness. Gulf believes that Congress should have a reasonable period in which to study, evaluate, and determine wilderness designations, and that Congress should have the benefit of a resource assessment in making its determination.

These decisions come at a time when despite adequate supplies of fuel and minerals now, we still need to find and produce domestic resources to ensure our national security. To withdraw large areas from mineral exploration is to preclude options that may be critical to our ability to produce adequate domestic supplies--ultimately to survive.

In summary, we oppose the provisions in S. 2801 that lock up public lands before assessment of their mineral value is made, particularly those still designated study or further planning areas. We also oppose S. 2801 because it fails to provide release language which specifies a reasonable deadline for Congress to designate areas as wilderness.

I appreciate the opportunity to testify, Mr. Chairman, and I would be pleased to answer any questions you may have.

Senator WALLOP. Thank you, Mr. Mooney.
Mr. Turner?

**STATEMENT OF M. O. TURNER, PRESIDENT, AMERICAN
INSTITUTE OF PROFESSIONAL GEOLOGISTS**

Mr. TURNER. My name is M. O. Turner, and I am an independent—

Senator WALLOP. You are listed on my list as Mo Turner.

Mr. TURNER. I am an independent petroleum geologist in San Antonio, Tex. I am the president of the American Institute of Professional Geologists.

I am appearing today on behalf of 4,300 professional geologists who are members of the AIPG, as well as the 35,000 petroleum geologists who are members of the American Association of Petroleum Geologists.

All of us, Mr. Chairman, share a basic concern for, among other things, the protection of the public interest in all matters concerning the geological sciences, and I thank you for the privilege to be able to give you our views on this bill.

I don't honestly believe I can add anything of great significance to either side of the arguments that have already been made except to share some basic fundamental positions that we believe are indeed relevant to the proposed bill.

As presently written, we oppose Senate bill 2801. We believe that the proposed bill would as a practical matter eliminate exploration and development of the leaseable minerals in wilderness areas and proposed wilderness areas.

If the committee intends to do this, we believe these bills will accomplish that objective. While we approve of setting aside of certain selected areas for preservation as wilderness, we also believe in view of the substantial areas designated by this bill, that it is important to the public interest to consider the potential natural resources of these areas that will in fact be condemned at the sacrifice of their attractiveness as wilderness. As geologists, we seem to be alone in recognizing that the mineral potential of any area can only be determined by extensive, time-consuming, sophisticated geophysical and geochemical surveys which employ a wide variety of geological techniques and concepts.

The only reliable method for investigation of both shallow and deep deposits must include all geophysical tools available particularly including seismic, gravity, magnetics, and geochemical methods. Even these are still inadequate, Mr. Chairman, until core hole and test well drilling occur, all of which are then combined into continuing geological studies.

That there is ample and learned controversy surrounding this issue of preservation or exploration is testimony to the presence of uncertainty in what we are dealing with. Geologists work daily with uncertainty and the pursuit of the unknown, and we spend our careers trying to eliminate these in order to prove something.

Mr. Chairman, no one can tell you what minerals or natural resources are contained or are not contained in these areas until the areas have been more fully explored.

Exploration and development of oil and gas in wilderness areas, as with other sensitive areas, can take place without significant environmental damage, but the committee as well as the public should be aware that the mineral and energy potential of these or any other areas cannot be summarily written off by shallow economic studies. Neither can the presence of energy and minerals be confirmed by wishful thinking.

We recommend a more realistic position, Mr. Chairman, than Senate bill 2801, one that would provide a method to allow careful exploration to proceed in these areas. If it is indeed in the public interest as we believe, that the potential for discovery of natural resources in these areas requires that they be open for leasing by private industry.

We also believe any leases granted should impose responsible but reasonable requirements identical to those now used in the national forest lands. We believe these will adequately protect the environment.

It is also our commonly held hope that if oil and gas reserves are discovered by private industry in these areas, their subsequent development and production would not cause significant damage. Allowing leasing under these conditions will eventually provide much of the needed valuation so that the emergency access and release provision will not be necessary.

Thank you very much.

[The prepared statement of Mr. Turner follows:]

Statement of
M. O. Turner
On behalf of the
American Institute of Professional Geologists
before the
Subcommittee on Public Land and Reserve Water
of the
Energy and Natural Resources Committee, U. S. Senate
on S.2801 and H.R. 6542,
The Wilderness Protection Act of 1982

Mr. Chairman, my name is M. O. Turner. I am an Independent Petroleum Geologist in San Antonio, Texas and I am also the President of the American Institute of Professional Geologists. I am appearing today on behalf of 4300 professional geologists who are members of AIPG as well as the 35,000 petroleum geologists who are members of the American Association of Petroleum Geologists. All of us, Mr. Chairman, share a basic concern for, among other things, the protection of the public interest in all matters concerning the geological sciences. I thank you for the privilege to be able to give you our views on "The Wilderness Protection Act of 1982."

Since receiving word two days ago that we were invited to testify, I have been reviewing stacks of statements and various analysis which have been made by others, both in support and opposition to these bills. I don't honestly believe I can add anything of great significance to either side of the arguments except to share some basic fundamental positions we believe are indeed relevant

to the proposed bills.

As presently written, we believe these bills would, as a practical matter, eliminate exploration and development of the leaseable minerals in wilderness areas and proposed wilderness areas. If the Committee intends to do this, these bills will accomplish that objective. While we approve of the setting aside of certain selected areas for preservation as wilderness, we also believe that in view of the substantial areas designated by this bill, that it is important to the public interest to consider the potential natural resources of these areas that will in effect be condemned at the sacrifice of their attractiveness as wilderness areas. It is somewhat ironic that the spectacular beauty found in many wilderness areas is there primarily because of the amazing geology underlaying these areas. Structural belts along with their vistas, often contain significant natural resources along with their spectacular beauty as this is fundamental in nature. But developing the fullness of one to the total disregard of the other seems unreasonable for a nation that is both desirous of preserving its national beauty and developing its natural resources. We don't believe it is necessarily a matter of either one or the other, Mr. Chairman. Attaining both these important objectives does not necessarily set them into irreconcilable conflicts.

As geologists, we seem to be alone in recognizing that the mineral potential of any area can only be determined by expensive, time consuming, sophisticated geophysical and geochemical surveys which employ a wide variety of geological techniques and concepts. After spending 35 years as a petroleum geologist, I can assure you there is no easy or simple method to determine the presence of energy or mineral resources -- or to the contrary, determining they are not present. The only reliable method for investigation of both shallow and deep deposits must include all geophysical tools available particularly including seismic, also gravity, magnetics and geochemical methods. But even these are still

inadequate until core hole and test well drilling occur all of which are combined into continuing geological studies.

We believe that the federal surveys to be authorized at public expense by these bills will in all likelihood, be subjected to continuing budget limitations and constraints. Because there is no real alternative for the expensive seismic surveys, core hole drilling and other methods of investigation, we believe they should be conducted by private industry.

The Committee well knows surely more clearly than I, all of the political, economic and social and other impacts resulting from enactment of these bills and I will thus not offer comments about these or our nation's possible mineral and energy dependency in this regard.

That there is ample and learned controversy surrounding this issue -- of preservation or evaluation -- gives testimony to the presence of uncertainty in what we are dealing with. Geologists work daily with uncertainty and the pursuit of the unknown and we spend our entire careers trying to eliminate these in order to prove something. Mr. Chairman, no one can tell you what minerals or natural resources are contained or not contained in these areas, until the areas have been more fully evaluated and, Sir, to my personal knowledge no area has ever been fully and completely evaluated for all its mineral and energy potential. The study of natural resource potential is a continuing an unending process.

With regard to the emergency release provision for these areas, we should keep in mind that the cycle for developing and producing domestic mineral resources, even following discovery, often takes from 10 to 15 years. As a practical matter, Mr. Chairman, this long exploration process which is always required renders this emergency provision irrelevant and inapplicable in our opinion.

We fully understand the difficult decisions the Committee is called upon to make regarding these technical and complex issues. Our concern is that the Committee assumes it is faced with a choice of selecting one or the other. We don't believe this is the choice because as geologists and naturalists all we find they are not incompatible.

Exploration and development of wilderness areas as with other sensitive areas can take place without significant environmental damage. But the Committee as well as the public should be aware that the mineral and energy potential of these or any other areas cannot be summarily written off by shallow economic studies or political statements. Conversely, neither can the presence of energy and minerals be confined by wishful thinking.

We recommend what we regard as a more realistic provision, Mr. Chairman, one that will provide a method to allow evaluation of these areas. If it is indeed in the public interest as we believe, the potential for discovery of natural resources in these areas requires that they be opened for leasing by private industry. We also believe any leases granted should impose responsible but reasonable requirements which will adequately protect the environment. It is our commonly held opinion that if mineral or energy reserves are discovered by private industry in these areas subsequent development and production would not cause significant damage. Allowing leasing under these conditions will eventually provide much of the needed evaluation so that the emergency access and release provision will not be necessary.

Thank you.

Senator WALLOP. Mr. Lee?

**STATEMENT OF L. COURTLAND LEE, CONSULTING GEOLOGIST,
MINERALS EXPLORATION COALITION**

Mr. LEE. The Minerals Exploration Coalition is a group of exploration geologists and companies organized to bring professional exploration expertise to focus on critical mineral issues now facing the country and this important committee.

We have testified on H.R. 6542 and are greatly concerned about the direction and the shortsightedness set forth in the policy adopted by both of these bills.

Although the proponents of this bill state it exempts hard rock minerals, including both strategic and critical minerals, these exceptions need emphasis and strengthening by amending section 3 with statutory language. Obscurely on page 7 of the House Report No. 97-638 accompanying the House bill it states that the committee limited the withdrawals of H.R. 6542 to oil, gas, oil shale, coal, phosphate, potassium, sulfur, gilsonite, and geothermal leasing. It goes on to say strategic and critical minerals in wilderness and wilderness candidate areas will be governed by existing law and not by H.R. 6542.

It should be mentioned that under existing law, wilderness areas will be withdrawn in 1984, and BLM study areas may remain in a limited study access capacity for the rest of the decade.

The exploration community is in its worst financial crisis since the Great Depression and is presently unable to adequately explore these environmentally sensitive areas. However, as we have shown in the publication which we submitted to the staff, a significant deposit of strategic and critical minerals are presently known to exist in wilderness areas.

Now I will take one example. Let's look at the leaseable mineral potassium which is included in the list of withdrawn leaseable minerals by S. 2801.

Potassium to some degree is found in association with most strategic and critical minerals. How can a land manager, reading the policy directive of this bill, reject a no surface occupancy oil and gas lease, that is, a no surface occupancy oil and gas lease, and yet allow a strategic cobalt mine which is associated with potassium minerals, perhaps leaseable, even though there are compelling reasons for the Nation's well-being to do so?

Under the planning regulations now in place which requires national policy to be incorporated in the plan, the mining plan would likely be denied. On September 10, 1981, the General Accounting Office wrote a memorandum to the chairman of the House Subcommittee on Mines and Mining which reviewed potash prospecting permits and preference right lease applications affecting the mineral alunite. All domestic sources of alunite are controlled by the Federal Government, and some will be affected by this bill. This mineral could produce both a fertilizer mineral and a needed domestic supply of aluminum, a strategic mineral. The GAO investigation showed that delays and mismanagement of potash leases were preventing a new domestic resource from being developed.

Potash, along with sodium, should be eliminated from the list of minerals in section 2(a) of this bill.

Furthermore, the bill should aggressively clarify what will be allowed in the way of exploration for strategic and critical minerals. This should be required in a separate section within the statutory language of the bill, including a greatly expanded language in the accompanying report. The statutory language should clarify congressional policy to Federal land managers that this bill does not limit availability of critical minerals. Unlike oil and gas where significant resources exist on non-Federal land, the bulk of new deposits of strategic and critical minerals will likely come from Federal lands in the foreseeable future.

The House report language on H.R. 6542 on page 7 excepts hard rock minerals on acquired lands. The Senate recently passed S. 1964, making the Irish Wilderness in Missouri. Nationally significant lead deposits are known to be in that wilderness and can only be leased under Federal law. These were not excepted in that bill.

If it is truly the intent of this bill to except hard rock minerals on acquired lands, why doesn't it appear in section 3 of the statute and clearly say so? Since many other hard rock minerals are leased on acquired lands, this needs to be set out clearly in the legislative language.

On April 5 the President of the United States submitted a national materials and minerals program plan. That plan had several objectives, including decreasing America's minerals vulnerability.

Senator WALLOP. If you could summarize?

Mr. LEE. There is no report as far as I know before this subcommittee under that plan, and finally I would say on the subject of withdrawal review, neither Congress nor the administration know how many lands are withdrawn. They go from 30 to 90 percent, and it seems to me good management prior to making a massive wilderness, massive withdrawal in both acreage and in severity as mentioned by this bill, those figures should be known.

Thank you.

[The prepared statement of Mr. Lee follows:]

Written Statement of

L. Courtland Lee

on behalf of the

Minerals Exploration Coalition

I am Courtland Lee, a consulting geologist representing the Minerals Exploration Coalition. M.E.C. is a group of exploration geologists and companies organized to bring professional exploration expertise into focus on critical mineral issues now facing the country and this important committee. We have testified on H.R. 6542 and are greatly concerned about the direction and short-sightedness set forth in the policy adopted by both H.R. 6542 and S. 2801.

Although the proponents of this bill state it exempts hardrock minerals including both strategic and critical minerals, these exemptions need emphasis and strengthening by amending Section 3 with statutory language. Obscurely on page 7 of the House Report No. 97-638 accompanying H.R. 6542 it states the Committee limited the withdrawals of H.R. 6542 to oil, gas, oil shale, coal, phosphate, potassium, sulfur, gilsonite and geothermal leasing. It goes on to say 'strategic and critical' hardrock minerals in wilderness and wilderness candidate areas will be governed by existing law, and not by H.R. 6542. It should be mentioned that under existing law wilderness areas will be withdrawn by 1984, and BLM study areas may remain in a limited study access for the rest of the decade.

The exploration community is in its worst financial crisis since the great depression and is presently unable to adequately explore these environmentally sensitive areas. However, as we have shown in our publication "Mineral Resources in Wilderness" significant deposits of strategic and critical minerals are presently known to exist in wilderness. This has been determined with the little exploration that has been done. Instead of limiting our knowledge of these lands to the present state of ignorance about the mineral resources recommended by this legislation, the statutory wilderness deadline should be extended to develop the information needed for informed land use trade-offs. Environmental protection in these sensitive areas is already guaranteed by provisions within BLM and Forest Service planning acts. We realize an extension is not now politically expedient, however, when mineral shortages develop in the late 1980's and 1990's and complaints are made against the exploration community for not doing their job, the public record should be clear that serious flaws in public land legislation as this were fundamental in bringing about the situation.

For example, let's look at the leaseable mineral potassium which is included in the list of withdrawn leaseable minerals by S. 2801. Potassium to some degree is found in association with

most strategic and critical minerals. How can a land manager, reading the policy directive of this bill reject a no-surface occupancy oil and gas lease, yet allow a cobalt mine which is associated with potassium minerals, perhaps leaseable, even though there are compelling reasons for the nation's well being, to allow development. Under the planning regulations now in place the mining plan would likely be denied. On September 10, 1981, the General Accounting Office wrote a memorandum to the Chairman of the House Subcommittee on Mines and Mining which reviewed potash prospecting permits and preference right lease applications affecting the mineral alunite. All domestic resources of alunite are controlled by the Federal government and some will be affected by this bill. This mineral could produce both a fertilizer mineral and a needed domestic supply of aluminum, a strategic mineral. The GAO investigation showed that delays and mismanagement of potash leases were preventing a new domestic strategic mineral resource from being developed. Potash, along with sodium, should be eliminated from the list of minerals in Sec. 2(a) of this bill. Furthermore, the bill should aggressively clarify what will be allowed in the way of exploration for strategic and critical minerals. This would require a separate section in this bill including greatly expanded language in the accompanying report. The statutory language should clarify congressional policy to

Federal land managers that this bill does not limit availability of strategic and critical minerals. Unlike oil and gas, where significant resources exist on non-federal land, the bulk of new deposits of strategic and critical minerals will likely come from Federal lands, many included within the scope of this legislation. To deny environmentally responsible exploration would be folly for the future generations of Americans who will need these mineral resources or other minerals that are either unknown or unwanted today.

The House report language on H.R. 6542 on page 7 excepts "hardrock" minerals on "acquired lands." The Senate recently passed S. 1964 making the Irish Wilderness in Missouri. Nationally significant lead deposits are known to be in that wilderness and can only be leased under Federal law. These were not excepted in that bill. If it is truly the intent of this bill to except hardrock minerals on acquired lands, why doesn't it appear in Sec. 3 of the statute and clearly say so. Since many other hardrock minerals are leased on acquired lands, this needs to be set out clearly in the legislative language.

On April 5 the President of the United States submitted to Congress the National Materials and Minerals Program plan. That plan had several noble objectives including decreasing America's

minerals vulnerability by taking positive action and seeking to reduce future dependence on potentially unstable foreign sources of minerals. How does S. 2801 reflect this policy? Where does mineral impact statement set out the impacts on future mineral supplies this action will have? Is this Presidential Plan just more political hot air?

Finally, the subject of withdrawal review should be addressed. Neither this Congress nor this Administration knows if 30% or 90% of the public land is effectively already off limits to one mineral or another by all sorts of Federal actions taken to restrict land against mineral use. This is a difference of 225 million acres or 675 million acres. From a purely management point of view, one would think this should be known before a massive withdrawal of the size contemplated by this bill is passed into law. What competent manager would lock up his assets without knowing what had already been set aside. Should Congress continue this kind of management policy?

For a bill that began as anti-Interior legislation in the House, this bill has gained alarming momentum. It is unlikely the majority of the cosigning senators suspect the impact this

legislation would have on the ability of our severely depressed domestic exploration to provide future mineral resources for this country's use. A much deeper look into these issues must be made before such congressional policy is set into law. The truly alarming turn of events is that today we are devoting time and priority to locking out mineral exploration from a significant portion of public land, when we should be holding hearings on the desperate state of exploration knowledge being developed in these uncertain times for the well being of our future generations.

Senator WALLOP. Thank you very much. There is a live quorum on the way over on the floor which means a vote will follow shortly.

In the interest of time—I am trying to get everybody to testify—I will reserve questions and submit them to you later, and I appreciate very much your presence here. I will start the last panel and get where we can before that vote occurs.

The next panel is Ms. Marilyn Quinn, executive director, Youth for Energy Independence; Mr. Max Barker of the Triple J Ranch, Augusta, Mont.; Mr. R. J. Smith, environmental consultant, American Land Alliance; Bern Shanks, Governor's office, State of California; Mr. David Alt, professor of geology at the University of Montana.

Ms. Quinn?

STATEMENT OF MARILYN QUINN, EXECUTIVE DIRECTOR, YOUTH FOR ENERGY INDEPENDENCE

Ms. QUINN. Mr. Chairman, I thank you for the opportunity to testify, and I thank you for your—

Senator WALLOP. Move the mike a little closer.

Ms. QUINN. I want to thank you for the opportunity to testify and thank you for your perseverance here today.

It is true that young Americans do have concern for the environment, but as regards S. 2801, many of us have an overriding concern with the economic and security implications of foreclosing these wilderness lands, over 30 million acres.

Youth for Energy Independence is a bipartisan coalition of youth leaders, including such leaders as those from the NAACP, Young Democrats, and College Republicans. We would like to go on record that we, the youth community, feel like economic growth is very important in considering a balance between our environmental protection and our utilization of land.

We cannot afford closed permanently land when we have a need for dependable domestic energy resources vital to fostering economic growth. It is particularly clear that young Americans, a virtually closed labor market in the near future, and on the subject of security, the oil glut gives us no reason for complacency. America is the

leader of the free world. Its position has deteriorated as a result of our energy dependence. I wonder how soon this dependence would constitute a national urgent need?

Therefore, we, the Youth for Energy Independence, encourage the protection of the environment, but first we urge that before we foreclose land, we look at the effect on jobs and what uses may be made of the land and material, and we urge a thorough inventory of lands before they are permanently foreclosed.

In its present state, Youth for Energy Independence must oppose S. 2801.

Thank you.

[The prepared statement of Ms. Quinn follows:]

STATEMENT BY

MARILYN QUINN

EXECUTIVE DIRECTOR
YOUTH FOR ENERGY INDEPENDENCE

THE WILDERNESS ACT

Mr. Chairman and members of the Committee, I would like to thank you for the opportunity to present this testimony today. I represent a new organization, Youth for Energy Independence (YEI). YEI was formed in January, 1982 to help develop a consensus among young Americans for policies which promote our nation's security and economic growth through increased domestic energy development. The YEI coalition includes leaders from the College Republicans, Young Democrats, NAACP, labor, industry and the scientific community.

I would like to discuss the Wilderness Act as it relates to young Americans in terms of national security and employment. YEI represents a broad cross section of opinion in the youth community who oppose shutting off government lands to mineral and energy resource assessment.

National Security

In 1947 the United States for the first time became a net importer of oil. Twenty-five years later the impact of our dependence upon foreign sources for our energy needs became painfully clear. But today nine years after the first OPEC oil embargo in 1973, the United States is more dependent on oil imports. Periodic oil gluts will not eliminate our oil dependence, nor should we allow them to encourage the type of complacency which we are now witnessing.

America's role as the leader of the free world has severely deteriorated as the result of our energy dependence. Foreign policy decisions have been and are continuing to be influenced by the desperate search for a secure supply of imported oil, often at the expense of our national security interests. Without development of adequate and reliable domestic energy supplies we will continue to be vulnerable to the designs of hostile nations and unable to fulfill our

role as a dominant democratic force in the world.

ENERGY AND JOBS

Dependence upon unstable foreign sources of energy has an adverse effect upon our economy. Rising oil costs contribute to our high rate of inflation and create mammoth trade deficits, as an example, last year \$71 billion were exported to pay for foreign oil creating a huge trade deficit. High interest rates, a stagnating economy and its attendant unemployment are the inevitable results.

Energy is closely connected with the state of the job market. Abundant and dependable sources of domestic energy are vital to fostering the economic growth so necessary for job creation.

Young Americans have a personal stake in securing this needed economic growth. We have the most to lose from a poor employment situation as we try to break into a virtually closed labor market. Currently, unemployment among eighteen to twenty-four year olds stands at 16%,* 6.5% above the national average of 9.5%. If energy resources are not sufficiently available and economic growth is inhibited, the record post-depression unemployment figures we are experiencing will continue.

How can it possibly be in America's national interest to deny energy and mineral assessment, thereby closing off national resource development?

And yet, that is exactly what the Wilderness Act does.

*Current Population Studies, U.S. Department of Labor, May, 1982.

YOUNG AMERICANS

Young Americans are concerned with the national security and economic implications of closing off huge areas of land possessing energy resources and strategic minerals.

How much of our needed energy may be found on public lands? Dean William Dresher of the University of Arizona College of Mines estimates that government-managed lands hold:

- o 40% of our coal, including 70% of America's low-sulfur coal;
- o Three-quarters of our oil shale and 85% of our tar sands; as well as
- o A third of our crude oil base and 43% of our natural gas base.

In addition, Alaskan lands hold potentially large quantities of critically needed non-energy minerals, such as platinum, chromium, nickel, manganese and molybdenum. Some of these metals are now being imported from the Soviet Union and other insecure foreign sources.

This is why the subject of land use is so important to every young American. If these lands are locked up tight against exploration and development, it could mean greater dependence on other nations for our energy and essential minerals. That translates into fewer job opportunities, greater unemployment, and an increased flow of American money into foreign hands.

But perhaps more important in the long run, closing of these potentially rich mineral areas could make us all more vulnerable to economic, political, and even military blackmail by those countries supplying us with needed energy and strategic minerals. Decisions must be made to allow for adequate, reliable, and affordable energy supplies.

"WILDERNESS"

Once the "wilderness" label is placed on land, it belongs to a very exclusive club . . . those who have the health and wealth to enter the lands on horseback, by canoe, or on foot, carrying their equipment and supplies with them. The wilderness label also means that, within those lands, there can be:

- no roads of any kind, and
- no development of energy and mineral resources of any kind.

FUTURE JOBS AND SECURITY

In this time of high unemployment the U.S. needs to move toward policies for rapid economic growth.

What is needed now is a return to the proven concept of compatible multiple use of our public lands. Such use can benefit all Americans by increasing job opportunities, providing raw materials for factories and producing energy to keep our economy growing.

We must protect the environment. Young Americans have an intense commitment to protecting our environment. In special cases, we do need to set aside certain sensitive areas to maintain the habitat of endangered species. But, what we do not need is to foreclose huge areas of our public lands, without first determining whether such foreclosure is essential, how it will effect jobs, and what other uses might be better made of the land and its materials.

We have not always treated the environment with the respect and care it deserves. However, modern technology does permit the extraction of oil and natural gas with a minimal impact on the environment. Restoration of coal mined areas is mandatory under current strip mining regulations. Reforestation of timbered land is practical and practiced.

When these activities are conducted in an environmentally sound and economically practical way, all Americans benefit: factory workers, farmers, the elderly, the disadvantaged and future workers. Conversely, when access is denied, all Americans suffer. Multiple use of public lands is a step toward economic security and energy independence.

In conclusion, I would like to repeat that in terms of America's national security interests, in terms of economic growth and job protection the Wilderness Act must be amended. In its present form, Youth for Energy Independence must oppose S-2801. Mr. Chairman and Committee Members, Youth For Energy Independence urges you to reconsider the Wilderness Act.

Senator WALLOP. Thank you very much, Ms. Quinn.
Mr. Barker.

**STATEMENT OF MAX BARKER, JJJ WILDERNESS RANCH,
AUGUSTA, MONT.**

Mr. BARKER. Mr. Chairman, my name is Max Barker. I am an owner and operator of the JJJ Wilderness Ranch in Augusta, Mont., an outfitter in the national forestlands and the Bob Marshall Wilderness ecosystem. Our range is within the Rocky Mountain Front Overthrust Belt.

I appreciate the opportunity to testify before the committee in support of S. 2801. I submit my prepared testimony for inclusion in the record and would like to use my 4 minutes to make some observations on points made during this morning's session.

The Deep Creek further planning area has received the highest numerical wilderness tribute rating available in the RARE II process equaled only by the Admiralty Island in Alaska, and that area is recommended for national park status in the inventory of wilderness.

My concern with leases is that after preliminary exploration, if it shows potential, drilling is the logical next step, and that means roads and the consequent destruction of surface values in at least my area of Montana.

PROSPECTIVE

Land recommended for protection by S. 2801 constitutes less than 5 percent of our Federal land, perhaps 33 million acres of 730 million acres.

LOGIC

Of 2,000 years of mankind's existence on Earth, there has been only 70 years of hydrocarbon use. We have been told that 30 more years will deplete the oil and gas supply. That is 100 years out of 2,000. We existed without hydrocarbons before. We can and we

must again. The time is now to develop alternative energy sources while we still have the time.

Little to nothing has been mentioned here today in this regard. I am led to wonder if the profit motive isn't the driving force to exploit these lands we are talking about instead of anything that relates to patriotism.

RELEASE OF LANDS

I am told that west coast offshore acreages have been coming available actually faster than the oil companies can handle, lease and explore, with orderly development coming about.

TECHNOLOGY

The Nation's wilderness areas might yield a bit of additional hydrocarbons, but at a cost of depleting wild lands. It is kind of like a family that is living in a log cabin, and believe me, in Montana a lot of people do yet, deciding to move out of their cabin and move into a tent and begin to burn the logs of their former cabin for a source of heat. I wonder where that leaves you?

In summary, somehow there is the idea that the development of wilderness and RARE II further planning areas will gain our Nation's energy independence. I believe this is a ridiculous assumption and will result in decisions that future generations will long regret and suffer for.

I thank you again, and I encourage passage of S. 2801.

[The prepared statement of Mr. Barker follows:]

STATEMENT OF MAX BARKER BEFORE THE SENATE
PUBLIC LANDS SUBCOMMITTEE
SEPTEMBER 23, 1982

My name is Max Barker. I am a graduate forester, farmer, owner and operator of the JJJ Wilderness Ranch in Augusta, Montana. I am also Director of the Dude Ranchers Association (an association of dude ranchers in the western states).

My ranch is within the Rocky Mountain Front of the Lewis and Clark National Forest; above the Sun River Canyon and Gibson Reservoir and specifically located in Mortimer Gulch, which is within the "Deep Creek - Reservoir North" Further Planning Area of the RARE II Study and adjacent to the Bob Marshall Wilderness.

Specific activities include guiding guests on hikes and trail rides all through Blacktail, Mortimer, and Big George Gulches, as well as the South Fork of the Deep Creek and Gibson Lake roadless areas and the Bob Marshall Wilderness Area.

The impact of oil and gas exploration and development leases on this fragile environment and the resulting financial impact on the JJJ Ranch.

It is my contention that activities connected with oil and gas exploration will disrupt wildlife habitat. (The nation's largest herds of bighorn sheep and elk are here, as well as mountain goat, deer, black and grizzly bear, and both the golden and bald eagle.) Migration routes will be altered, perhaps permanently. There will be noise and air pollution (helicopters, explosive seismic devices, and hydrogen sulfide gas dangers); frightened dude horses with possible human injury; extensive erosion, polluted springs and streams; and roading in outstanding wilderness quality lands and resulting severe reduction of quiet, beauty, and solitude that enhance the aesthetic atmosphere of the JJJ Ranch. I am concerned about possible bankruptcy.

The Deep Creek - Reservoir North area would have been recommended for wilderness classification, I understand, except for the fact that some people felt there may be some oil and gas production potential. Therefore it was decided to place the area into a "Further Planning" category even though it had received the highest numerical wilderness attribute rating of the nation's RARE II study.

Although these concerns were repeatedly pointed out to the Forest Service during their environmental assessment, their only response was to recommend withdrawal of Arsenic Creek drainage and Big George Gulch from surface occupancy by the oil and gas leasing company and to further assure me that various environmental stipulations would be recommended to be included in the leases granted.

My concern also involves the unlikelihood that these stipulations will mitigate the aesthetic damage to our Dude Ranch operation and will not prevent

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the obvious damage mentioned to the land and wildlife. The Forest Service and Department of Interior issued the leases in Deep Creek without doing a full environmental impact statement. That action is being challenged in a Montana federal court.

It seems to me there are other economic concerns for Montana and the nation besides the production of oil and gas. The dude ranch and outfitter business makes a large contribution to the recreation and tourism industry. The kinds of natural land areas we are concerned about are in very short supply already. We are finding more and more of the public interest oriented toward Montana's unspoiled lands because "Colorado is gone" or "Wyoming is overrun with energy development."

Most of our guests are shocked to learn that our ranch and surrounding roadless lands are not part of the Bob Marshall. They had assumed that "Deep Creek" was included and that oil and gas development was excluded. There is extremely popular support for the protection of the entire Bob Marshall ecosystem, including all of the roadless areas of the Rocky Mountain Front. Take note of the Bob Marshall Alliance membership: approximately 100,000 persons from all walks of life. New citizen groups are forming all the time and joining in this resistance movement. They represent a diversity of interest from doctors and lawyers to secretaries, laborers, servicemen and women, nurses, and college students...even the Governor of Montana.

It is noteworthy that Mr. Don Allen, spokesman for the oil and gas industry in the state, has gone on record as saying the oil industry really has no interest in the Bob Marshall Wilderness. The 300 to 400 lease

applications are apparently from speculators hoping to later sell their interests to the oil companies.

Beth Ferris of Missoula, Montana and the writer of the successful film "Heartland," filmed in Montana, in commenting on her role in the work of writing documentaries (I am quoting from an article in the Northwest Airlines magazine, Passages) says that following three years of studying in the habitat of mountain goats in the Bob Marshall: "Truly living with mountain goats for three years was the turning point in my life; surviving winters in the wilderness, chopping wood and carrying a 60-pound pack gave me self-confidence. I learned about botany and began caring for animals and nature. The world I was benefitting from is on the verge of being destroyed and I don't want to see these things lost."

Frequently I have guests come to my ranch direct from responsible positions as industry executives. After being there three days, the wounds that society has inflicted on their souls begin to heal and all of a sudden they say something like, "My goodness, look at those mountains! What a beautiful view! How exquisite are those wildflowers! What an incredibly beautiful place!"

It seems to take those three days to unwind and shed the cocoon that modern society has placed them in. Their spirits are renewed!

These comments from people in all walks of life illustrate in a small way the unique and tremendously important value these wild lands have to the

nation. No dollar amount can express it anymore than we can measure the importance of God in human living.

I am pleased to see that S. 2801 will temporarily withdraw Further Planning Areas from oil and gas leasing. These areas, like Deep Creek, need protection as well as areas already in the wilderness system. Otherwise, they will be ruined before Congress has a chance to add them to the system.

Senators, it is my humble request that you will reflect on my comments with the same sincerity in which they are given. It will take diligent efforts on your part to protect these lands of which I speak. Years later, our children of the nation will say in reflecting on their heritage, "It took real statesmanship to stand in the face of exploitation's demand for more QUANTITY in our lives and then substitute QUALITY for QUANTITY."

Senator WALLOP. Thank you, Mr. Barker.

Mr. Smith, we will go at least until those bells go off, and then I think we have 4 minutes' worth.

**STATEMENT OF ROGER J. SMITH, ENVIRONMENTAL
CONSULTANT, AMERICAN LAND ALLIANCE**

Mr. SMITH. Thank you, Mr. Chairman. My name is Roger J. Smith. I am an environmental consultant for the American Land Alliance, which is a nonprofit, public foundation reflecting a coalition of constituents of over 100,000 Americans, including private property rights organizations, business and industrial groups, and a wide array of nationally respected land-environmental experts.

Mr. Chairman, the alliance is concerned that our Federal land and environmental policies should reflect a balance between environmental protections which avert unnecessary deterioration or degradation of our natural resources and the needs of our citizenry and Nation for energy independence and national security. The ALA is opposed to S. 2801 in its present form for the following reasons.

One: It is imperative that our Nation have an opportunity to complete an inventory of our energy and mineral resources. The wisdom of our future energy decisions is linked to the adequacy of our information. We believe it to be both unwise and premature to preclude from exploration millions of acres without a thorough examination of its potential for energy and mineral reserves, and in that context the constraints contained within S. 2801 appear to unnecessarily hinder and in some cases preclude both reasonable accessibility for and completion of the inventory process.

In particular, the limitations upon the methods of inventory analysis are internally inconsistent and potentially prohibitive.

First, it is our understanding that although aerial reconnaissance and survey is a verifiable method, it may become infeasible when coupled with the other restrictions in the bill such as the prohibition on the use of explosives.

Second, the limitations upon the methods of inventory analysis dramatically increase the cost of analysis. That substantial increase in cost may cause a prohibitive effect in more marginal energy areas and in more substantial areas further increase already excessive energy costs.

We believe that wilderness areas and wilderness study areas must be adequately inventoried for their mineral and energy potential in a slow, careful, and thorough manner. Otherwise we fear that in the case of a hypothetical national emergency, hurried, careless, and destructive methods of exploration and development may be resorted to. It is better to know now where our resources are located so that we don't have to begin the search during a crisis atmosphere.

Two: the provisions governing declaration of national need for the mineral activity, section 5(b) are unrealistic and self-defeating. It is difficult to envision a scenario by which the threshold requirements—(a) finding of national need; (b) report; and (c) NEPA compliance—coupled with the natural, time-consuming delays of energy deployment, could possibly resolve the crisis that implemented the Presidential declaration in the first place.

The applicable provisions of section 5 are unrealistic and deter the very issue of paramount concern—an urgent national need for mineral activity. In order to respond to a national crisis, an adequate inventory must first be available or a Presidential declaration becomes moot at best.

Three: The ALA favors balanced multiple use of Federal lands. That is not to suggest that sensitive environmental areas should be degraded, but it is to suggest that a principle that unnecessary limitation of remaining Federal lands to one use not occur without a reasoned and informed justification. We believe that one-use limitation should be the exception and not the rule, but an informed and justified exception.

We believe that the withdrawals cited in S. 2801 are premature by virtue of that principle.

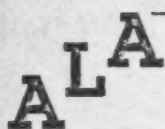
Finally, Mr. Chairman, the ALA joins millions of Americans in the concern that our sensitive environmental resources not be degraded or subjected to gradual and unnecessary deterioration.

However, we also share a prevalent concern that our country provide for national security, energy independence, and reasonable economic energy costs. We do not believe the present provisions of S. 2801 reflect a balanced and informed approach to these issues.

For these reasons, we oppose the bill and urge your consideration of our comments.

Thank you, Mr. Chairman.

[The prepared statement of the American Land Alliance follows:]



American Land Alliance

September 23, 1982

Committee on Energy and Natural Resources:

The American Land Alliance ("ALA") welcomes the opportunity to comment upon the substantive provisions contained in Senate Bill 2801, entitled the "Wilderness Protection Act of 1982."

The American Land Alliance (ALA) is a non-profit public foundation, that has achieved a broad national coalition concerned with balanced federal and state land and environmental policies. In only one year of existence, the ALA reflects a coalition constituency of over 100,000 Americans. The ALA coalition-alignment includes private property rights organizations, business and industrial groups and a vast array of nationally respected land-environmental experts. The ALA's coalition includes the following representative groups: the Sagebrush Rebellion, Inc., (with 4,000 active members and over 100,000 supporters in 13 western states); Resource Development Council of Alaska (with over 10,000 agricultural, timber, labor, business and energy members); California Coastal Council (with over 10,000 landowner-members and a vast array of labor, agriculture and energy companies); National Inholders Association (with over 4,000 members and 40,000 families effected by National Park and Forest service practices). Added to this broad array of citizens are respected businesses (i.g. Dart Resorts, Wrather Hotels, Chevron Oil, etc.).

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The ALA's leadership reflects a broad range of expertise in land-environmental issues, including its President Joseph M. Gughemetti and Vice-President Robert Webber (both nationally respected land use attorneys); Vern Ravenscroft (former President, Sagebrush Rebellion, Inc.); Paula Easley (Executive Director, Resource Development Council of Alaska); Deloyd Satterswaite (Executive Director, States Rights Coordinating Council); Sid Karsh, (President Dart Resorts), Ron Michieli, (Vice President, National Cattlemen's Association); Professor Bernard Freiden, (M.I.T.); R.J. Smith, (Council for a Competitive Economy); Professor Frank Schnidman, (George Washington-Harvard University) to name a few.

PRELIMINARY STATEMENT

The ALA is concerned that our federal land and environmental policies reflect a balance between environmental protections which avert unnecessary deterioration or degradation of our natural resources and the needs of our citizenry and nation for energy independence, and national security. The ALA is opposed to Senate Bill 2801, in its present form, for the following reasons:

I.

UNFINISHED AGENDA: INVENTORY

It is imperative that our nation have an opportunity to complete an inventory of our energy resources. The wisdom of our future energy decisions is inextricably linked to the accuracy of our information. We believe it to be both unwise and premature to preclude from exploration millions of acres without a thorough examination of its potential for energy reserves. In that context, the constraints contained

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within Senate Bill 2801 appear to unnecessarily hinder, and in some instances preclude both reasonable accessibility for and completion of the inventory process. In particular the limitations upon the methods of inventory analysis are internally inconsistent and potentially prohibitive. First, it is our understanding that although aerial reconnaissance and survey is a verifiable method, it may become infeasible when coupled with the other restrictions in the bill. Second, the limitations upon the methods of inventory analysis dramatically increase the cost of analysis. That substantial increase in cost may cause a prohibitive effect in more marginal energy areas, and in more substantial areas further increase already excessive energy costs.

II.

UNREALISTIC PROVISIONS: A NATIONAL CRISIS

The provisions governing a declaration of "national need for the minerals activity" [Sec. 5(b)] are unrealistic and self-defeating. It is difficult to envision a scenario by which the threshold requirements, (a. finding of national need; b. report; and c. NEPA compliance) coupled with the natural time consuming delays of energy deployment could possibly resolve the crisis that implemented the Presidential declaration. The applicable provisions [Sec. 5] are unrealistic, and deter the very issue of paramount concern: an urgent national need for mineral activity. In that sense the need for a complete and accurate inventory is not unlike the practical necessity for draft registration in advance of a military confrontation. Yet, a thorough inventory analysis would take substantially longer than the draft-registration which

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Congress deemed a necessary threshold in anticipation of a national military emergency. In order to respond to a national crisis, an adequate inventory must first be available or the President's declaration becomes moot at best.

III.

MULTIPLE USE: A NATIONAL INTEREST

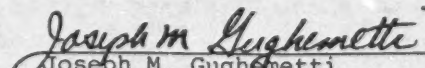
The ALA favors balanced multiple use of federal lands. That is not to suggest that sensitive environmental areas should be degraded (e.g. national parks) but it is to suggest a principle that unnecessary limitation of remaining federal lands to one use (wilderness) not occur without a reasoned and informed justification. We believe that a one-use limitation should be the exception, and not the rule, but an informed and justified exception. We believe the removals recited in Senate Bill 2801 are premature violations of that principle.

IV.

CONCLUSION

The ALA joins millions of Americans in the concern that our sensitive environmental resources not be degraded or subjected to gradual and unnecessary deterioration. However, we also share a prevalent concern that our country provide for national security, energy independence and reasonable economic-energy costs. We do not believe that the present provisions of Senate Bill 2801 reflect a balanced and informed approach to these issues. For these reasons we oppose the bill, and urge your consideration of our comments.

Respectfully submitted,


Joseph M. Gughermetti
President

Senator WALLOP. Thank you very much, Mr. Smith. Mr. Shanks, Mr. Alt, I just am not going to be able to do this before my presence is required on the floor. We will have, as I understand it, two votes, one of which will be as soon as I get there and the other one I think starts directly thereafter.

The five bells are just beginning now, so I will be back as quickly as I can possibly be back.

Mr. SHANKS. We'll wait for you.

Senator WALLOP. We stand in recess.

[Whereupon, a brief recess was taken.]

Senator WALLOP. We will do our best to finish up the last two here before the vote bell rings again. There is a little delay in that.

Mr. Shanks.

**STATEMENT OF BERN SHANKS, ASSISTANT DIRECTOR FOR
RESOURCES, GOVERNOR'S OFFICE, STATE OF CALIFORNIA**

Mr. SHANKS. Thank you, Senator. I would like to express my appreciation to you for this very long day. We had a very busy time in this session.

I am Bern Shanks, representing the State of California, and the assistant director for resources in the California Governor's Office here in Washington.

I think many people would be surprised how important public lands are to California, and I would like to just submit my statement, the written statement, as is.

Senator WALLOP. By all means.

Mr. SHANKS. California has more public land even than your own State of Wyoming, and the State has been very appalled at the Reagan administration's mineral leasing transfer which has been launched and will likely be the largest transfer of public mineral wealth to private ownership that we have seen in the history of public lands.

California has 70 percent of the geothermal resources in the West. All of these are being leased this year. We have discovered that just in the past few weeks the State of California, the BLM Office, has leased over 4,000 areas totaling 4 million acres of public lands for noncompetitive oil and gas leasing. All this has been done without public hearings, without public involvement, and the State of California has not even been able to secure the maps.

Senator WALLOP. Did you say there have been 4 million acres leased?

Mr. SHANKS. In the last few weeks, yes, in California, 4,000.

Senator WALLOP. Would you provide for the committee the verification of that statement?

Mr. SHANKS. We have tried to get the exact number from BLM. I know that virtually all of the Susanville district of BLM and the southern half of the California desert has been leased, and those have been general figures. Even BLM does not know the precise number of leases. They have only told us it is over 4,000. They cannot tell us which areas.

Senator WALLOP. 4,000; this is totaling 10,000 acres apiece?

Mr. SHANKS. Approximately; they vary in size.

Senator WALLOP. More than that.

Mr. SHANKS. They have told us the total is over 4 million acres, and somewhat over 4,000 leases.

Senator WALLOP. I think the committee would appreciate verification of that figure. I think it may be slightly extended.

Mr. SHANKS. Well, that is the information we have. I will be glad to provide that for you, and, of course, the planned OCS development threatens California's fishing industry and tourism which even in the State of California is our No. 1 industry, and I think it is clear that with the over 100 million acres being leased onshore, already the existing leases or planned leases, that it appears that the oil and gas industry wants all of the resources off public lands regardless of any concern for the future, and I think when you look at how difficult it is to get a wilderness area, the years and years of hearings and public involvement, compared to the ease with which it is possible to get an oil and gas lease, that it is worth considering the contract.

The second point that I would like to cover separate from my statement is that Assistant Secretary Crowell this morning talked about a release of the Forest Service, a declaration from Congress that the RARE II environmental statement is adequate, and I am quite familiar with the California lawsuit and that has been a subject several times today, and I think that lawsuit is misunderstood by many people who have testified.

California felt very strongly that the RARE II program in California had a biased process. It had inadequate data and the public did not have a fair chance for involvement. It was upheld on all three points in the court, and we expect it to be upheld in the ninth circuit court.

The other point is that although there are over 100 RARE II areas originally identified in the RARE II suit, California's lawsuit addressed only 43 of those areas. Most RARE II areas were released from multiple use. California has not challenged that, and that development is underway in those areas today in a variety of forms.

The only thing that stands between developing these RARE II areas and congressional action is California's lawsuit, and the California wilderness bill has passed the House on two occasions with wide margins. It awaits action by this committee and the Senate, and we, of course, feel very strongly that our lawsuit is a vital block, a vital obstacle in the way of protecting those lands until Congress decides whether they are suitable for wilderness or not.

Thank you.

[The prepared statement of Mr. Shanks follows:]

STATEMENT OF
THE CALIFORNIA RESOURCES AGENCY

I am Dr. Bern Shanks, Assistant Director for Resources, California Governor's Office.

Wilderness is an American phenomenon we in California cherish. The preservation of wilderness is basic to accepting the challenge to keep America great. Economically wilderness and our new leading industry, tourism are highly important to our state. But equally important is the concept of heritage. Values to be passed on to the next generation, a sense of our wilderness heritage is a vital part of our nation. In the words from an old European forestry book, "sustained management...means thinking in terms of the needs of humanity and those of economics both for the present and for the future. The individual is prepared to make certain sacrifices in order to benefit his children, his people or his country; he is ready to think in terms of the unborn." California strongly supports legislation to protect wilderness areas from oil, gas and mineral development.

Watt claims we need to "restore America to her former greatness." His method: strength through exhaustion of our natural resources. His administration proposes the largest oil leases, coal leases and oil shale developments in history. At the same time this administration is cutting back funding for environmental protection, energy conservation, and incentives for renewable resources development. His administration wants to lease all OCS lands in five years and all geothermal areas this year, yet has eliminated programs to promote renewable wind, solar and biofuels energy. Is this conservation? Absolutely not, it is wasteful and short-sighted. Such policies cheat this generation and rob from the future. It is also not the republican tradition of Teddy Roosevelt.

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California wilderness is under its most serious seige. The Reagan Administration has tried to open Los Padres National Forest wilderness areas to oil and gas drilling -- lease the very lands from under the wings of our last California condors and open the Lassen National Forest roadless lands to geothermal development. Watt's Administration has encouraged mining in BLM proposed wilderness areas by failing to halt illegal road construction in protected areas.

The State of California assisted in the review of roadless areas under the last administration. When the Forest Service failed to do a professional and fair job in evaluating wilderness, California went to court. California dramatically won the case and secured a federal court injunction against further developments in 43 roadless areas until Congress acted or the Forest Service did an honest job.

I must report that a federal court injunction has not stopped the Reagan Administration's rush to exploit our wilderness areas.

Over 95 small hydro projects are planned in California RARE II areas. Over 250 other developments are planned by the Forest Service in wilderness areas, many protected by the California RARE II lawsuit. These developments include roads, mines, geothermal leases, oil wells, and timber sales. In the case of the timber sales, the Forest Service has gone out on the ground and marked timber sale boundaries, roads and trees for cutting. The Forest Service plans to bulldoze 12.7 miles of road for the Corral Timber Sale in an area now protected by our lawsuit and proposed for wilderness in Congressman Burton's wilderness bill. And this is but one example of 300 projects on the Reagan Administration drawing boards for California's wildlands.

California needs the help of Congress to protect ever existing wilderness areas from mineral development and to secure a California Wilderness bill.

Senator WALLOP. Mr. Shanks, may I just ask, for the record, are you testifying on behalf of Governor Brown?

Mr. SHANKS. I am testifying on behalf of the State of California, specifically the secretary of resources, who is Governor Brown's representative in the cabinet for resource issues.

Senator WALLOP. Mr. Alt?

**STATEMENT OF DAVID ALT, PROFESSOR OF GEOLOGY,
UNIVERSITY OF MONTANA**

Mr. ALT. I am David Alt, professor of geology at the University of Montana. I appreciate the opportunity to appear here this afternoon, Mr. Chairman.

I am distressed by the number of optimistic reports we have heard this afternoon on the vast amounts of oil and gas that lie within the Overthrust Belt. I believe that those estimates to a large extent are based on an unrealistic and simplistic view of the Overthrust Belt which is not a simple province at all, but an extremely complex linkage of many geologic provinces more or less connected to each other.

Let's consider especially the Bob Marshall Wilderness Areas in the northern Montana portion of the Overthrust Belt, and virtually all of the evidence regarding those areas is published and in the public record in the form of U.S. Geological Survey maps.

The oil companies have very little proprietary information in this region. They know nothing that no one else can't find just by looking in the library.

First, a few words about the Overthrust Belt. Essentially the same rock formations exist in the Overthrust Belt and beneath the high plains immediately to the east. Hikers in the mountains of the Bob Marshall Wilderness walk across exposures to the same formations that a drilling rig would penetrate beneath the plains just a few miles to the east. The difference is that the rocks in the mountains are complexly folded and faulted, whereas those beneath the plains remain virtually undisturbed. Nevertheless, the rocks in one area tell us something about those in the other.

About 30 years ago large reserves of oil and gas were discovered in the high plains of Alberta, east of the Canadian portion of the Overthrust Belt. Naturally that led almost immediately to strong efforts to follow that trend south into the corresponding plains of Montana. There has been no obstacle to exploration in those plains. Numerous wildcat wells have been drilled, and the results have been almost completely disappointing.

There is the Sunburst Field just south of the Canadian border, and a few shut-in gas wells and numerous dry holes. The evidence so far obtained through many years of exploration strongly suggests that the rock beneath those plains simply does not contain much petroleum. They are not petroliferous so far as we now know.

Finally, why should we suppose that rock formations which have proved unproductive in the plains will yield petroleum in the far more complex, challenging environment of the Overthrust Belt? It is not surprising that substantial reserves of natural gas have recently been found in the Canadian portion of the Overthrust Belt. After all, as I just noted, the same formations have been producing

from the plains to the east for a long time. In a sense, we can say that exploration in Alberta has finally extended production from the structurally simple to structurally complex part of the sedimentary basin, and of course, the same sequence of events has occurred in Wyoming also.

The exploration in the corresponding region of Montana has yet to make the first of those two steps. At this point with no production in the plains east of Montana's portion of the Overthrust Belt, it is entirely premature to talk about large reserves in the Overthrust Belt portion of the same sedimentary basin.

If the time ever does come when we see the plains east of the northern Montana portion of the Overthrust Belt dotted with oil and gas fields, as are those in Alberta, then we may have serious reason to suspect the existence of significant reserves in the Bob Marshall Wilderness. No such reason now exists, and the arguments to the effect there may be large reserves in the Bob Marshall Wilderness are based on a strictly one-dimensional interpretation of geology and geology is, after all, a three-dimensional subject.

We have heard a great deal today about seismic exploration and I don't want to say anything more about it now, but merely to repeat that seismic exploration does not in any sense resolve the question of whether oil and gas exists. All it does is locate potential traps.

I have 1 more minute. In most cases, the potential traps have actually been tested by drilling. In most cases, many wells must be drilled over a period of many years to evaluate petroleum potential or problems. For example, one historical review of the southwestern Wyoming portion of the Overthrust Belt counts a total of at least 141 wildcat wells drilled between 1867 and 1967 produced two significant discoveries.

We should not expect petroleum exploration of the Bob Marshall or any other wilderness area to be either quick or easy. It is difficult to imagine how wilderness could survive a thorough campaign for petroleum exploration. It can survive a few seismic lines or a few wells to be sure, but not a thorough campaign. Such a campaign must inevitably entail certain sacrifice of known wilderness values in exchange for petroleum which may or may not be found at some unknown future time.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Alt follows:]

David Alt

Professor of Geology

University of Montana

Missoula, Montana

The wild areas of our country have not remained relatively untouched simply because they were overlooked, or because they are remote and difficult to enter. They most certainly have not escaped the attention of prospectors searching for mineral deposits of all kinds, oil and gas as well as hard rock ore bodies. It is impossible to find areas so remote that they are without evidence of early mineral exploration in the form of old prospect pits and abandoned miner's cabins. Exploration drilling for oil and gas also started very early, and in remote areas. For example, there was an unsuccessful attempt to develop oil production shortly after the turn of the century in an area that later became part of Glacier National Park.

Indeed, there is no reason to suppose that wildness and remoteness have ever significantly discouraged exploration for oil and gas. An industry that long ago began drilling far offshore on the continental shelves and along the coast of the Arctic Ocean can hardly have been deterred by mere mountains and the absence of well-graded public roads.

If an area remains wild and roadless today, we can only conclude that it has never seemed promising to people looking for mineral deposits of any kind. Had those areas ever shown much promise, they would now be too full of roads and other development to qualify for consideration as formally designated

wilderness. It is simply a fantasy to suppose that vast storehouses of mineral treasure await discovery in the few remaining wild areas. On the contrary, their failure thus far to produce significant mineral commodities strongly suggests that those area contain very little mineral wealth.

Let me turn more specifically to the Bob Marshall and Scapegoat Wilderness Areas in the northern Montana portion of the overthrust belt. They have recently received attention as potential sources of petroleum despite strong evidence that they have very little such potential.

Let us consider that evidence, virtually all of which is published and freely available. First, a few words about the overthrust belt.

Essentially the same rock formations exist in the overthrust belt and beneath the high plains immediately to the east. Hikers in the mountains of the Bob Marshall Wilderness walk across exposures of the same formations that a drilling rig would penetrate beneath the plains just a few miles to the east. The difference is that the rocks in the mountains are complexly folded and faulted whereas those beneath the plains still remain virtually undisturbed. Nevertheless, the rocks in one area tell us something about those in the other.

About 30 years ago, large reserves of oil and gas were discovered in the high plains of Alberta east of the Canadian portion of the overthrust belt. Naturally, that led almost immediately to strong efforts to follow that

trend south into the corresponding plains of Montana. There has been no obstacle to exploration in those plains, numerous wildcat wells have been drilled, and the results have been almost completely disappointing. There is the Sunburst Field just south of the Canadian border, and a few shut-in gas wells. The evidence so far obtained through many years of exploration strongly suggests that the rocks beneath those plains simply do not contain much petroleum. Why then should we suppose that rock formations which have proved unproductive in the plains will yield petroleum in the far more complex and challenging environment of the overthrust belt?

It is not surprising that substantial reserves of natural gas have recently been found in the Canadian portion of the overthrust belt. After all, the same formations have been producing from the plains to the east for a long time. In a sense, we can say that exploration in Alberta has finally extended production from the structurally simple to the structurally complex part of the sedimentary basin. Exploration in the corresponding region of Montana has yet to make the first of those two steps. If we ever see the plains east of the northern Montana portion of the overthrust belt dotted with oil and gas fields, as are those in Alberta, then we may have serious reason to suspect the existence of significant reserves in the Bob Marshall Wilderness. No such reason now exists.

Nevertheless, there is pressure to begin exploration by running seismic profiles through the wilderness areas. It is true that such work can be done with little lasting impact on the environment. However, the operation does involve detonation of numerous large dynamite charges with precisely the sound effects one might expect. You can hear the explosions and see the clouds of white smoke for miles. So can the resident wildlife. Furthermore, there is always the temptation for helicopter-borne seismic crews to buzz the animals -- I have seen them do it. Seismic exploration is not without its impacts.

Unfortunately, seismic exploration does not in any sense resolve the question of whether oil and gas exist in an area. All the seismic profile does is to locate potential traps that might retain petroleum if any exists in the rocks. Only drilling can reveal whether the potential trap actually contains anything of value. And that is rarely as simple as it may sound.

Drilling typically reveals information about the physical properties of the rock formations which make it possible to refine the seismic data, and thus locate more potential traps. In most cases, many wells must be drilled over a period of many years to finally evaluate the petroleum potential of a province, especially one as complex as the overthrust belt. For example, one historical review of the southwestern Wyoming portion of the overthrust belt counts a total of at least 141 wildcat wells drilled between 1867 and 1976 to produce

two significant discoveries. And that area contains oil seeps, which provide direct surface evidence that petroleum exists at depth.

We should not expect petroleum exploration in the Bob Marshall or any other wilderness area to be either quick or easy. It is difficult to imagine how wilderness could survive a thorough campaign of petroleum exploration. Such a campaign must inevitably entail the certain sacrifice of known wilderness values in exchange for petroleum which may or may not be found at some unknown future time. That is an uncertain bargain at best.

Senator WALLOP. Thank you, Mr. Alt. I guess you have proved what other geologists in the room have proved, that it is all a matter of speculation, your speculation laid against those of the industry, those against the Oak Ridge people and against the Audubon Society's conclusions and the other independent geologists, and I think it proves essentially what one of the concerns of this committee is, and that is not that we open vast tracts of designated wilderness for petroleum production, but that a prudent country would exercise prudence in trying to locate to the extent that technical knowledge exists what it has in case it needs it.

I think you would agree, I hope you would agree that one of the dangers that exists in the wilderness areas is a crash change in American public opinion.

Mr. ALT. If I may, I certainly agree that things should be done prudently, and I guess my point is that a prudent strategy in approaching the question of whether there is oil and gas in the Bob Marshall is to begin by determining whether it exists in the same rocks east of the Bob Marshall.

Senator WALLOP. The appearance of the industry just isn't that way.

Mr. ALT. That is what they did in Alberta.

Senator WALLOP. But they followed that down to Wyoming. You would find your argument reversed.

Mr. ALT. No. They did pretty much the same in Wyoming, too.

Senator WALLOP. That is not really true down in southwestern Wyoming. It simply is not borne out by your statement. If you wish, we can get—I think Mr. Cummings is still here, and we have an experience where there was not, except perhaps around Pine

Valley, any demonstration in the plains of any consequence, and certainly nothing like it in Alberta, and yet you have some major discoveries in the lower 48 States in very small areas.

Mr. ALT. In Wyoming, though, I might point out that there have for many years been oil seeps in the Wyoming portion of the Overthrust Belt.

Senator WALLOP. They are not coming up from 14,000 feet.

Mr. ALT. They at least demonstrate the rocks are petroliferous and so far as I can discover, this situation does not exist in the Bob Marshall. There have been reports of the oil seeps there, but I can't find any verification for them.

Senator WALLOP. I think you might find a quarrel from this committee and even from members, some members of the industry, about high-grade designated wildernesses, but you are talking about a lot of speculative things as well, including the further study lands which have further study designation because there were balancing opportunities that some saw. They weren't so clearly cut and so recommended. It just seems to me that somehow or another a prudent country would continue its inventory and use the experience.

You had one experience, but that same experience exists in directly opposite terms in other parts of the country. Certainly that is true in the eastern Overthrust.

Mr. ALT. Well, I do think, though, that a prudent approach, when you have exactly the same rock formations in adjacent areas, in one of the adjacent areas a structurally simple situation, and the other they are in a structurally extremely complex situation, it seems to me that the prudent and cost-effective approach to evaluating them would be to start in the structurally simple area, see if—

Senator WALLOP. That would be true if we were in a country which had a Petromax, a national oil and gas company, but if we had a national oil and gas company we wouldn't have the Overthrust Belt production now because can you imagine a Congress authorizing another 100 wells after 400 had been dry? They would laugh at whoever headed in that direction out of the room. That is the problem, and that is the difference in this country, and one reason why we have been so much more productive and inventive than all the rest of the world combined in the research for new methods and the search for lease sources of supply.

That is one of the problems, and I don't know. I don't think this Congress is ready to go to a national oil and gas company, and it is risk capital that determines where the most likely places are, and if it is indeed significantly better potential, I can't believe that you would find people spending money in more complex things and stepping over the less complex if they thought there was even equal chances. Can you?

I mean why would you do that?

Mr. ALT. I think the reasoning that they are following is a one-dimensional reasoning, and I think what they are doing is looking at the map and saying here is the Overthrust Belt in Alberta and the Overthrust Belt continues from Alberta into Montana, and therefore the oil must continue, but they are failing to look at it in the other direction. There is another dimension to it.

Senator WALLOP. I can't believe that people who have—I mean there is a shortage of capital in this country even in the oil industry, and despite that, however amazing as that may seem to you, they just simply are not going to spend their money in places that are the least likely to give them a return on that money.

Mr. ALT. I believe they are following a very narrowly based interpretation, and I think if they were to look in the east-west direction—

Senator WALLOP. Don't you suppose they have?

Mr. ALT. I don't believe there is any evidence that they are doing that.

Senator WALLOP. Well, I guess I would be totally amazed if people who pulled down the kind of salaries that the major corporate geologists do whose job it is to find for their corporations oil or independent geologists whose job it is to have clients and whose success ratio is directly dependent upon how good they are, would have overlooked as you suggest that which must be easier. It is possible, but it just seems very unlikely in a capital short country.

Mr. ALT. I am indeed suggesting that is what they are doing.

Senator WALLOP. I am sure that you would be contested in that by them.

Mr. BARKER. Mr. Chairman, I might add just a point if I may in regard to what Mr. Alt is referring to.

In the Montana Overthrust Belt, without naming the company, we recently had a group of geologists spend 2 weeks at our ranch exploring—well, I should not use the word exploring—analyzing the rock formations that are exposed, as Mr. Alt pointed out, up and down the front all the way from Glacier Park to the southern area there around Lincoln, Mont., and in several conversations with the project leader of that group I determined from him that in his opinion, it coincided very much with what Mr. Alt is saying, that he felt that the potential for hydrocarbon production within, for example, this Deep Creek further planning area, right in these gulches and valleys where these thrusts are, was quite minimal, and I said well, that's great to hear, but tell me why. What is your opinion based on? And he says well, it is simply this. He says these pockets of oil and gas did exist. We are convinced of that. As a matter of fact, I can show you oil-bearing rocks, hand them to you, and you can strike a match and it will burn he says.

That oil is dead oil. The oil we are seeking long ago seeped off, boiled off under these pressures, and the reason that it did that is because the tops of these ridges have eroded off over the millions of years and that released these pockets, and it is just outside of the front. The beginning of the plains is where we are looking for these potentials.

Senator WALLOP. You have proved the very point I was trying to make with Mr. Alt. That is, that certain people are looking in all places, not just one, and not following some trendy line, not New York chic. You have just said exactly what my point is.

These people are intelligent. They look at all sets of circumstances, and if I were you, I would take great pleasure in the fact they find very low potential in Deep Creek and a higher potential outside, but that just proves that they are looking not just in narrow little lines, but on the broad spectrum. That I think is the

point that would be borne out by leasing patterns and exploration patterns. People are just simply not likely to look in the least likely places. You know anybody who has any money at all is likely to try to put it where it will return something and not where it just adds to the string of experiences that are called dry holes.

Ms. Quinn, could you just tell me, is your organization nationwide?

Ms. QUINN. Yes; we are. We are working to build Youth for Independence chapters on campuses at present, and working within the community, and we have about 18 campus chapters across the country.

Senator WALLOP. Well, I appreciate everybody's patience with me, with the Senate schedule, and with my desire to get on and let everybody be heard, and all your statements will be included in the record in their entirety, and I appreciate it very much.

The subcommittee stands adjourned.

[Whereupon, at 3:10 p.m., the hearing was adjourned.]

APPENDIX

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

Honorable Malcolm Wallop
United States Senate
Washington, D.C. 20510

Dear Senator Wallop:

Several questions were raised in the opening statements during the hearings September 23, 1982, on S. 2801, the Wilderness Protection Bill, about the use and environmental consequences of seismic reflection techniques in wilderness mineral surveys. We would like to briefly respond to those questions.

Seismic reflection surveying is by far the most valuable exploration tool available for oil and gas assessment because of its high resolution in determining the subsurface geology of sedimentary basins where oil and gas occur. Seismic techniques in effect provide a cross-section of the rocks to depths of 10,000 feet or more, and they are particularly useful in places like the Western Overthrust Belt where the oil pools are below flat-lying sheets of rocks that have been faulted over other rocks.

Seismic techniques are the mainstay of industry oil and gas exploration. They will be essential if reliable estimates about the oil and gas potential of the many existing or proposed wilderness areas with potentially petroliferous rocks are to be made.

Seismic techniques rely on the reflection of energy waves off sedimentary rock layers. To obtain useful data at depth, fairly large amounts of energy must be directed downward. The two main sources of this energy are explosives, usually shot at the bottom of shallow holes, and heavy truck-mounted vibrators--"thumpers"--which produce energy by pounding on the surface. Each source has its particular operational constraints. Surveys using explosives commonly use truck-mounted drillings for emplacing the charges; however, the charges and sensing equipment can also be placed by helicopter, and almost certainly helicopters would be preferred for wilderness surveys. "Thumpers" in contrast are large, cumbersome units that require roads or cleared trails. In the absence of roads, helicopter-supported seismic surveys using explosives would produce the least environmental impact on

Honorable Malcolm Wallop

2

wilderness areas. With reasonable care the ground disturbance at the shot point is minor and the sound is relatively local and transient.

We would be pleased to explain the usefulness of seismic surveys, the techniques involved, and the environmental consequences of their use if you should desire any additional information.

Sincerely,

D. N. Miller, Jr.
Daniel N. Miller, Jr.
Assistant Secretary
for Energy and Minerals

STAN TURLEY
DISTRICT 30

STATE SENATOR
THIRTY-FIFTH LEGISLATURE
STATE CAPITOL - SENATE WING
PHOENIX, ARIZONA 85007
2890 E. SOUTHERN AVE.
MESA, ARIZONA 85204



COMMITTEES:
AGRICULTURE CHAIRMAN
NATURAL RESOURCES
FINANCE
TRANSPORTATION

Arizona State Senate
Phoenix, Arizona

1982 SEP 27 PM 2:45

September 22, 1982

The Honorable W.Y. Wallop
Natural Resources Committee
United States Senate
Washington D.C. 20510

Dear Senator Wallop,

It is good to learn that S.2801 is receiving hearings in the Senate after having been "flipped" out of the House in such haste. I would sincerely hope that the lands in question are not closed permanently to energy and mineral assessment.

Sincerely Yours,

Stan Turley
Stan Turley
Arizona State Senator
District 30

ST/gh

United States Senate

MAX BAUCUS
MontanaWashington, D.C. 20510
(202) 224-2651Montana Toll Free No.
(1) 800-332-6106

Honorable Malcom Wallop
Chairman
Public Lands and Reserved Water Subcommittee
Committee on Energy and Natural Resources
United States Senate
Washington, DC 20510

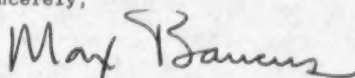
Dear Malcolm:

Please find attached a letter which was just received by telecopier from Montana's Governor Ted Schwinden concerning S. 2801, the Wilderness Protection Act. Governor Schwinden has asked that his letter be made a part of today's Subcommittee hearing record.

Thank you for your assistance in this matter.

With best personal regards, I am

Sincerely,



Committees

Environment and
Public Works
Finance
Judiciary
Small Business

Enclosure

Billings
657-6790Bozeman
586-6104Butte
782-8700Great Falls
761-1574Helena
449-5480Missoula
728-2043



State of Montana
Office of the Governor
Helena, Montana 59620

TED SCHWINDEN
GOVERNOR

September 23, 1982

Senator Henry Jackson
Senate Energy and Natural
Resources Committee
3104 Dirksen
Senate Office Building
Washington, D.C. 20510

Dear Senator Jackson:

Oil and gas issues both inside and outside of wilderness areas are of vital importance to Montanans. Our wilderness areas need not be sacrificed as our nation struggles to achieve energy independence.

Our few remaining frontiers, national parks or wilderness areas must be protected for future generations. With that objective in mind, I strongly support Senate Bill 2801.

Sincerely,

A handwritten signature of Ted Schwinden in dark ink.

TED SCHWINDEN
Governor

cc: Congressional Delegation

United States Senate

MAX BAUCUS
MontanaWashington, D.C. 20510
(202) 224-2651Montana Toll Free No.
(1) 800-332-6106

October 5, 1982

The Honorable Malcolm Wallop
Chairman
Subcommittee on Public Lands
and Reserved Waters
3204 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Malcolm:

I have been asked by the Chairman of the Montana Highway Users Federation to forward to the Subcommittee the enclosed letters. You will note that Mr. Huss has requested that his letter and fact sheet be placed in the hearing record relative to S. 2801, the Wilderness Protection Act of 1982.

I would appreciate any assistance you could provide in having this material placed in the record. Thank you in advance for your help.

With best personal regards, I am

Sincerely,

11
10/5

Enclosures

1982 OCT -7 AM 9:53

Committees

Environment and
Public Works
Finance
Judiciary
Small Business

Billings
657-6790

Bozeman
586-6104

Butte
782-8700

Great Falls
761-1574

Helena
449-5480

Missoula
728-2041

MONTANA HIGHWAY USERS' FEDERATION

P. O. Box 374, Helena, MT 59624



September 21, 1982

Senator Max Baucus
Room 1107 Dirksen Building
Washington, D.C. 20510

Dear Senator Baucus:

We ask that this letter and the enclosed Fact Sheet be placed in the hearing record relative to the "Wilderness Bill" being considered in Senator Wallop's Committee on Public Lands. Reference is to S-2801.

This legislation would lock up many millions of acres of government lands forever before any adequate assessment can be made as to its mineral and energy resources.

We are a nation whose economic vitality is totally dependent on having adequate energy supplies. We must be assured that these resources are available now and for future generations so that we can move our people and goods efficiently.

We again ask you that every effort be made before Congress adjourns to assure that a simple one year extension of highway legislation is put into place this month which:

- * Apportions already authorized Interstate construction funds.
- * Authorizes major highway, bridge and highway safety programs for FY-1983.
- * Extends the Highway Trust Fund and current taxes.

Without this legislation there will be very large disruptions in the highway program.

We applaud your continued sound directions to provide Montana and the Nation with adequate energy supplies and a viable highway transportation system.

Sincerely,

Larry Huss
Larry Huss, Chairman
Montana Highway Users Federation

cc: MHUF Fact Sheet
Senator John Melcher
Senator Wallop

NTANA HIGHWAY USERS' FEDERATION

Box 374, Helena, MT 59624



THE WILDERNESS PROTECTION ACT OF 1982

S-2801

MHUF FACT SHEET

THE BILL, AS CURRENTLY WRITTEN:

September 1982

- * Fails to strike a needed balance between responsible conservation and oil and gas exploration and development;
- * Withdraws millions of acres of government lands from use without assessment of their oil and gas potential;
- * Provides no adequate means to inventory the energy potential of those lands;
- * Proposes an unrealistic solution for obtaining minerals from wilderness areas during times of "urgent national need"; and
- * Fails to provide prompt and permanent release for those study areas found to lack wilderness characteristics.

The bill assumes that oil and gas operations are not compatible with environmental conservation. Yet available evidence clearly shows that the exploration for and production of oil and gas are compatible with maintaining environmental quality -- that such operations have a minimal and short-lived impact on the environment.

Of particular concern, however, is the assumption in the bill that a wave of the congressional hand would be all that is required to allow timely exploration and development of oil and gas resources on wilderness lands in a national emergency. In fact, even after permits to explore are granted and the search is successful, it takes up to 10 years to bring a new field into full production. And, in more remote areas not now serviced by pipelines, it could take longer. Thus, the full impact of an emergency could fall on American consumers long before withdrawn areas can be placed into production. This is a dangerous situation for the nation, considering the continuing risk of interruptions in oil imports.

The "Wilderness Protection Act of 1982" is seriously flawed and fails to address critical energy supply problems. A bill that is truly protective of American interests and which addresses the concerns of both energy supplies and environmental conservation should:

- * Provide that wilderness lands truly remain open to exploration and development for a reasonable period of time -- as was intended in the original "Wilderness Act of 1964";
- * Provide that the second Roadless Area Evaluation and Review (Rare II) serve as final wilderness review for national forest lands; and
- * Provide that Bureau of Land Management study areas recommended as unsuitable for wilderness be immediately returned to multiple use.

Congress and the nation need to know that natural resources underlie government lands before those lands are withdrawn, before a crisis occurs, and before Americans feel the effects of the proposed legislation in energy shortages at the factory, at the gasoline pump and at the residential fuel tank.

Source: Rocky Mountain Oil and Gas Assn., Highway Users Federation.

LAWRNCE D. HUSS, CHAIRMAN • FORREST H. "BUCK" BOLES, VICE CHAIRMAN • HAROLD L. PAULSEN, SECRETARY



STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27611

JAMES B. HUNT, JR.
GOVERNOR

September 27, 1982

1982 OCT -4 AM 10:16

Dear Senator Wallop:

The State of North Carolina is pleased to have the opportunity to submit into your hearing record a statement of our strong support of S. 2801, the Wilderness Protection Act.

I have written Secretary Watt in the past stating my opposition to oil and gas leasing in North Carolina wilderness areas, including those areas awaiting final decision by Congress under the RARE II process.

I want to urge positive action by the Senate on S. 2801 without amendment, prior to adjournment.

The people of North Carolina are very aware of the significance of this moment and I ask that you seize the opportunity before you to preserve the integrity of these lands for all time.

My warmest personal regards.

Sincerely,

A handwritten signature in dark ink, appearing to be "J. B. Hunt", written over the word "Sincerely,".

The Honorable Malcolm Wallop, Chairman
Subcommittee on Public Land & Reserved Water
United States Senate
204 Russell Senate Office Building
Washington, D. C. 20510



State of Washington

OCT -4 PM 4:11

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

September 29, 1982

The Honorable Malcolm Wallop, Chairman
Public Lands and Reserved Water Subcommittee
Energy and Natural Resources Committee
United States Senate
3104 Dirksen Building
Washington, D.C. 20510

Dear Senator Wallop:

I am attaching remarks in support of S. 2801, the Wilderness Protection Act of 1982. I feel strongly that Federal legislation is badly needed in order to prevent oil and gas exploration in our wilderness areas. In my opinion, it would be inappropriate to attach amendments to S. 2801 that are not central to the proposal's objective. The most prominent amendment, which would add "release" language that would put an artificial deadline on further study or designation of additional wilderness areas and thus permit oil and gas exploration, is an example of the approach that I oppose.

It is essential that S. 2801 be adopted during this session of Congress. I urge your Subcommittee and the full Senate to adopt it quickly.

With thanks and best wishes,

Sincerely,

A handwritten signature in cursive script, reading "John Spellman".

John Spellman
Governor

TESTIMONY OF GOVERNOR JOHN SPELLMAN

Mr. Chairman, I truly appreciate the opportunity to present to the Committee some remarks on S. 2801, the Wilderness Protection Act of 1982. Last spring, I submitted testimony strongly supporting legislation then being considered by the House of Representatives. Since that time, the House overwhelmingly passed that bill (HR 6542), and its counterpart is now before your committee.

I urge your committee and the entire U.S. Senate to adopt S. 2801 quickly. It is of utmost importance to the state of Washington that we have a clearly established prohibition of the leasing of wilderness areas for mineral or fossil fuel exploration.

I can think of no rationale that is strong enough to support the authorization of such leasing in designated wilderness areas or in areas proposed for inclusion in the wilderness system. To allow such leasing would make wilderness areas something other than what they were intended to be. That step is absolutely wrong, and I oppose it strongly.

In previous years, the state of Washington has actively participated in the studies and activities that led to the establishment of existing wilderness areas in national forests and parks. Those limited areas within our state were subjects of considerable deliberation. Here in Washington, designated wilderness areas include outstanding natural features, and are generally confined to rugged terrain. With the exception of narrow valley floors, the vast majority of wilderness lands are at high altitudes, with shallow soils on steep slopes. To lease those fragile areas for mineral exploration would severely jeopardize the basic purpose of setting them aside in the first place.

From 1972 to 1976, a Governor's Task Force was active in working with various interest groups concerned with timber, mining, and recreation. Large roadless areas were withdrawn from wilderness consideration in order to accommodate those industry needs. Remaining areas are required not only for preservation but also to support a thriving and expanding recreation and tourist industry. The rate of participation in outdoor and alpine recreation activities in our state is among the highest in the nation.

Opening areas designated as wilderness to mineral and hydrocarbon leasing threatens the integrity of the wilderness concept. The public understands that certain areas will be forever protected for their scenic and wildlife-habitat values. In designating those areas, a balance of the competing demands for resource management, conservation, and preservation was established through an arduous, comprehensive process which has resulted in an equitable allocation of public lands. To retreat now from protection of those lands is unwise and unwarranted.

Mr. Chairman, I have watched with great dismay the consideration of mineral leasing in wilderness lands. Permitting mineral and hydrocarbon leasing can only be justified if: (1) there is an overriding national emergency, coupled with a reasonable likelihood of discovering production quantities, or if (2) there are no other areas suitable for such exploration. Neither condition exists at this time in Washington. Much of the north Cascades has been examined for potential mineral resources since the early 1900's, and nothing of significance has been discovered. The possibility of finding more than a minuscule amount of energy in those areas at this time is extremely small.

Here in Washington more than 5,000,000 acres are already under lease by oil and gas companies, of which over 600,000 acres are state lands. Surely that represents an adequate opportunity for active exploration of our state's energy resource potential. Our state is not opposed to mineral, oil, and gas resource development. Far from it. But we should not look to areas in which drilling would violate those commitments to preservation that we have already made. There are other vast areas available in our state for pursuit of energy potential. Those are the areas that should be explored, not the fragile, unique areas of wilderness that are so important to us in so many ways.

Mr. Chairman, as I indicated to the House of Representatives some months ago, we are concerned about our economic difficulties. We are concerned about the sufficiency of our energy supplies. But the adverse economic climate has not propelled us into accepting the assumption that those temporary circumstances make it somehow palatable to violate our wilderness areas, for they are important to us in tough times as well as good. They transcend short-range views. If our wilderness areas can be used for mineral and hydrocarbon drilling, they in fact cease to be wilderness areas and become merely reserved lands, suitable for keeping on the shelf until development pressures insist that they be exploited. That course of action does not appeal to me. Nor should it appeal to the Congress.

I strongly support S. 2801, and urge that it be adopted before Congress adjourns. It is imperative that the bill before you not be amended, for that would indicate a possibility that no action might be taken. The bill before you is responsible, would protect our wilderness areas, and should be passed before adjournment.

Thank you for this opportunity to express my views.

Washington State Senate

**ALAN BLUECHEL**

FORTY-FIFTH DISTRICT

MAJORITY WHIP

103 INSTITUTIONS BUILDING
OLYMPIA, WASHINGTON 98504
(206) 753-76729901 N.E. 124TH STREET, #505
KIRKLAND, WASHINGTON 98033
(206) 823-9014

October 8, 1982

Senator Henry M. Jackson,
Senate Committee on Energy and Natural
Resources,
Senate Office Building,
Washington, D.C. 20510.

Dear Senator Jackson:

With regard to the Wilderness
Protection Bill, S. 2801, I am enclosing
a copy of Senator Bluechel's testimony to
the House Interior Committee in Seattle
on April 16.

I would be grateful if you could
submit it for the hearing record of the
Senate Committee on Energy and Natural
Resources on S. 2801. It is important that
the compromise bill not be weakened by any
further amendments.

Sincerely,

Wendy Los
Wendy Los,
Legislative Aide to
Senator Bluechel.

wl

Enc.

TESTIMONY OF SENATOR ALAN BLUECHEL TO HOUSE INTERIOR
COMMITTEE HEARING IN SEATTLE ON APRIL 16 REGARDING
OIL AND GAS LEASING IN WILDERNESS AREAS.

THANK YOU, MR. CHAIRMAN, FOR THE OPPORTUNITY TO ADDRESS THE JOINT PUBLIC LANDS AND NATURAL PARKS AND FORESTRY SUBCOMMITTEES ON THE PROPOSAL BY INTERIOR SECRETARY JAMES WATT, CURRENTLY BEFORE CONGRESS. THIS PROPOSAL, CONTAINED IN A BILL SPONSORED BY CONGRESSMAN LUJAN, WOULD ELIMINATE THE EXISTING DEADLINE FOR ISSUANCE OF LEASES IN WILDERNESS AREAS FOR OIL AND GAS AND MINERAL EXPLORATION. THIS IS AN ISSUE WHICH I HAVE HAD A LONG-TERM AND PERSONAL INVOLVEMENT IN, AND CARE VERY MUCH ABOUT. I'VE DONE A LOT OF HIKING IN THE ALPINE LAKES WILDERNESS, BEGINNING LONG BEFORE IT WAS EVEN FEDERALLY DESIGNATED.

AS YOU KNOW, MR. CHAIRMAN, WE IN THE STATE OF WASHINGTON CONSIDER OUR WILDERNESS AREAS TO BE BOTH A STATE AND NATIONAL TREASURE, CONTAINING SOME OF THE MOST PRISTINE AND BEAUTIFUL SETTINGS IN THE NATION. THE ALPINE LAKES WILDERNESS AREA, CALLED THE LAND OF 600-LAKES, IS KNOWN FOR ITS BROAD, TIMBERED VALLEYS, RUSHING MOUNTAIN STREAMS, AND THE SCORES OF RUGGED GRANITE PEAKS, AS WELL AS THE HUNDREDS OF ALPINE LAKES. ABOUT HALF A MILLION PEOPLE ANNUALLY MAKE THE JOURNEY TO THE WILDERNESS AREA, ACCORDING TO A RECENT U.S. FOREST STUDY. THE FIGHT TO CREATE THE ALPINE LAKES WILDERNESS WAS A TEN-YEAR BATTLE. IT HAS BEEN CITED AS A CLASSIC EXAMPLE OF CITIZEN INVOLVEMENT AND COMPROMISE BETWEEN COMPETING INTERESTS.

THIS EXAMPLE IS REPEATED FOR EACH OF THE OTHER WILDERNESS AREAS DESIGNATED WITHIN THE STATE. THOUGH ALPINE LAKES IS THE MOST WIDELY USED OF THESE AREAS, EACH HAS ITS UNIQUE SCENIC ATTRACTIONS, AND EACH REPRESENTS A HARD-FOUGHT VICTORY FOR THOSE WHO ARE CONCERNED WITH THIS IMPORTANT RESOURCE.

THE POPULARITY OF WILDERNESS PRESENTS AN IMPORTANT INDICATOR OF THE TYPE OF OUTDOOR EXPERIENCE THAT THESE VISITORS ARE AFTER. THEY'RE NOT LOOKING FOR AN AREA WITH ROADS, CLEARED AND NUMBERED CAMPSITES, CAMP TRAILERS, BARKING DOGS AND SOFTBALL GAMES. WHILE CAMPGROUNDS SUCH AS THAT SERVE AN IMPORTANT NEED, IT'S CRUCIAL TO PRESERVE THE KIND OF BACK COUNTRY THAT IS ONLY AVAILABLE IN VERY LIMITED AMOUNTS THROUGHOUT THE COUNTRY -- TO AFFORD THE SERENITY, THE ABSENCE OF MAN'S WORKS, THE OCCASIONAL ENCOUNTER WITH SHY FOREST CREATURES WHICH CAN BE FOUND ONLY IN THESE WILDERNESS AREAS. USERS OF THESE LANDS HAVE CHOSEN, AT SOME EXPENSE AND PERSONAL EXERTION, TO TRAVEL TO AN AREA WHERE MAN'S WORKS ARE NOT IN EVIDENCE, EVEN TO THE DEGREE FOUND IN ROADSIDE CAMPGROUNDS.

THERE HAS BEEN A GREAT DEAL OF DISCUSSION ABOUT PROVIDING MORE WILDERNESS TO MEET THE EXTENSIVE DEMAND. THE COUGAR LAKES PROPOSAL HAS RECEIVED A MAJORITY OF THE ATTENTION, BUT THERE HAVE ALSO BEEN PROPOSALS FOR THE BOULDER RIVER, SALMO-PRIEST, CLEARWATER, EAST OLYMPICS, MOUNT BAKER AND KETTLE RANGE AREAS. MANY OF THESE AREAS ARE CURRENTLY UNDER STUDY, AND MAY RECEIVE WILDERNESS DESIGNATION IN THE FUTURE. WE ARE LOOKING TO ADD TO THE EXISTING WILDERNESS RATHER THAN DEGRADE THAT WHICH HAS BEEN SET ASIDE. ALL THESE FACTS ILLUSTRATE THE IMPORTANCE PLACED ON WILDERNESS BY WASHINGTON RESIDENTS.

BUT NOT ONLY WASHINGTONIANS HAVE AN INTEREST IN OUR WILDERNESS. THERE IS A THRIVING TOURIST AND RECREATIONAL EQUIPMENT AND SUPPLY INDUSTRY WHICH IS BUILT AROUND THE WASHINGTON OUTDOOR EXPERIENCE. TOURISM IS CONSIDERED THE SECOND-LARGEST INDUSTRY IN THE STATE. THE STATE IS CURRENTLY PROMOTING THROUGHOUT THE NATION ITS SCENIC MOUNTAINS, FORESTED VALLEYS, AND MOUNTAIN LAKES AND STREAMS. THE LEGISLATURE RECENTLY AUTHORIZED A \$3.5 MILLION CAMPAIGN TO PROMOTE THE 'OTHER

WASHINGTON,' PROMINENTLY FEATURING THE SCENES AVAILABLE IN OUR WILDERNESS AREAS.

THE IMPACT OF THE PROPOSAL BY SECRETARY WATT REQUIRES CLOSE SCRUTINY. THOUGH ORIGINALLY HERALDED AS A CONSERVATIONIST PROPOSAL, IT IS CLEARLY A WOLF IN SHEEP'S CLOTHING. YES, THE BILL WOULD PLACE AN 18-YEAR MORATORIUM ON ISSUANCE OF LEASES IN WILDERNESS AREA UNTIL THE YEAR 2000. BUT AFTER ANOTHER YEAR AND A HALF, CURRENT LAW WOULD DO THE SAME THING -- EXCEPT THAT IT WOULD LAST FOREVER, OR UNTIL CONGRESS CHOSE TO REMOVE IT. WHAT THE PROPOSAL GIVES, THEN, IS A ONE-AND-ONE-HALF YEAR MORATORIUM, IN EXCHANGE FOR OPEN-ENDED ACCESS TO WILDERNESS AREAS AFTER THE YEAR 2000.

BUT EVEN THAT MORATORIUM IS SUSPECT. IF THE PRESIDENT FOUND THAT THERE WAS A 'NATIONAL NEED,' HE COULD THEN OPEN THOSE LANDS TO LEASING DURING THE MORATORIUM.

UNDER ANOTHER PROVISION, THE SECRETARY OF THE INTERIOR IS TO PRODUCE A REGULAR REPORT SUMMARIZING THE AVAILABILITY OF MINERAL RESOURCES, INCLUDING OIL AND GAS. THIS WILL SERVE AS A ENTICEMENT TO CONGRESS TO WEAKEN OR MAKE EXCEPTIONS TO THE WILDERNESS ACT, PARTICULARLY DURING TIMES OF ENERGY CRISIS. WE'VE ALL HEARD THE REPORTS ABOUT THE IMPACTS ON THE LIFESTYLE AND SOCIAL FABRIC OF SMALL-TOWN LIFE IN THE WEST, ONCE AN IMPORTANT MINERAL OR HYDROCARBON FIND IS MADE.

LET ME TURN BRIEFLY TO THE SITE IMPACTS OF THE WATT PROPOSAL. AS I'VE MENTIONED, A RESPONSIBILITY FOR SURVEYING WILDERNESS LANDS FOR OIL, GAS AND MINERAL POTENTIAL WOULD BE INCLUDED. THIS WOULD INVOLVE THE DRILLING OF BLASTING HOLES AND ACTUAL SEISMIC BLASTING. IT WOULD MEAN

THAT AT THE VERY LEAST, HELICOPTERS WOULD BE VISITING SEISMIC TESTING SITES, AND, POSSIBLY, THAT ROADS AND TRUCKS MIGHT BE NECESSARY FOR PLACEMENT OF MEN AND EQUIPMENT.

IF RESULTS OF THIS TESTING ARE POSITIVE, WE CAN EXPECT THAT, EVENTUALLY, THERE WILL BE MORE EXTENSIVE TESTING DONE. BECAUSE THE STATE OF KNOWLEDGE WITH REGARD TO THE OIL AND GAS OR MINERAL RESOURCES IN THESE AREAS IS LIMITED, THERE WOULD HAVE TO BE EXTENSIVE ON-SITE TESTING DONE TO FURTHER EVALUATE THE POTENTIAL. FOR OIL AND GAS, THIS WOULD INVOLVE WELL-DRILLING AND CORE-SAMPLING. THIS WOULD MEAN ROADS TO SUPPORT HEAVY EQUIPMENT, DRILLING MACHINERY BEING MOVED TO THE SITE, CLEARING OF ACREAGE, VARIOUS HOUSING AND SUPPORT FACILITIES, AND OTHER ASSOCIATED IMPACTS. ALL THIS WOULD BE DONE IN THE RESEARCH AND EXPLORATORY PHASE, JUST IN THE ATTEMPT TO LOCATE THE RESOURCE. IF NOTHING IS FOUND, THE COMPANIES WOULD ABANDON THE SITES, LEAVING THEM UPTURNED AND SCARRED, WITH WILDLIFE HAVING LONG SINCE VANISHED.

GRANTED, A CERTAIN PORTION OF THIS SCENARIO IS SPECULATIVE, AND WOULD DEPEND ON A NUMBER OF OCCURRENCES. IN THE SHORT TERM, IF SITES WERE TO BE LEASED FOR EXPLORATORY DRILLING, PRESIDENTIAL INTERVENTION WOULD BE NEEDED UNDER THE WATT PROPOSAL. ADDITIONALLY, BECAUSE WELL DRILLING IS EXPENSIVE, AND BECAUSE THAT EXPENSE WOULD BE MULTIPLIED DUE TO THE REMOTENESS OF THE SITES, OIL AND GAS COMPANIES HAVE NOT SHOWN A GREAT DEAL OF INTEREST IN THESE AREAS. IT SEEMS CLEAR, THEN, THAT THESE AREAS ARE MUCH MORE SUITED FOR UNDISTURBED WILDERNESS, AND SHOULD BE REMOVED FROM CONSIDERATION FOR THEIR POTENTIAL MINERAL RESOURCE.

AS YOU KNOW, THERE ARE TWO LEASE APPLICATIONS PENDING IN THE ALPINE LAKES WILDERNESS, BOTH FROM AN OUT-OF-STATE COMPANY. WE LOOK WITH DISTRESS ON THE POSSIBLE CONSEQUENCES OF THE GRANTING OF SUCH LEASES; THE COST WOULD BE BORNE BY WASHINGTONIANS, IN THE IMPACT ON THE WILDERNESS AREA AND THE TOURIST INDUSTRY, WHILE ALL THE PROFITS WOULD GO TO AN OUTSIDE ENTITY, WHICH IS PROBABLY UNFAMILIAR WITH, AND UNCONCERNED ABOUT, THE EFFECTS OF THEIR PROJECTS ON AN EXPERIENCE WHICH MOST OF US TREASURE.

A VERY REAL IMPACT OF THIS PROPOSAL WILL BE THE ASSUMPTION BY THE TAXPAYERS OF A RESPONSIBILITY WHICH PRIVATE INDUSTRY IS APPARENTLY UNWILLING TO UNDERTAKE. IN DOING SURVEY WORK IN ALL WILDERNESS AREAS TO ASCERTAIN THE POTENTIAL FOR RESOURCE FINDS, THE FEDERAL GOVERNMENT IS PROVIDING A SERVICE TO INDUSTRY WHICH IS PROPERLY AN ELEMENT OF THEIR RESEARCH RESPONSIBILITY. WHY SHOULD TAXPAYERS PAY TO HELP LOCATE OIL AND MINERALS, WHEN THE PROFITS GO EXCLUSIVELY TO THE PRIVATE COMPANY?

I WOULD LIKE TO CONCLUDE, MR. CHAIRMAN, BY ASKING THAT CONGRESS CONSIDER THE IMPORTANCE OF THESE FEW REMAINING UNSPOILED AREAS TO THE PEOPLE OF THE PACIFIC NORTHWEST, AND OF THE NATION. PLEASE RECOGNIZE THE WATT PROPOSAL FOR WHAT IT IS -- NOT SO MUCH A FREEZE ON ISSUANCE OF LEASES IN WILDERNESS AREAS, BUT AN OPPORTUNITY FOR THE INTERIOR DEPARTMENT TO EXPLORE THOSE AREAS FOR MINERAL AND OIL RESOURCES, AND THEN, HAVING GENERATED INTEREST ON THE PART OF INDUSTRY WHERE THERE MAY HAVE BEEN LITTLE BEFORE, MAKING THEM AVAILABLE FOR PRODUCTION, AT THE EXPENSE OF DEGRADATION OF THE WILDERNESS. THANK YOU.

AB:D5/5

ALAN BLUECHEL,
WASHINGTON STATE SENATOR



WYOMING
EXECUTIVE DEPARTMENT
CHEYENNE

ED HIRSCHLER
GOVERNOR

September 21, 1982

The Honorable Malcolm Wallop
452 Russell Building
Washington, D. C. 20510

Dear Senator Wallop:

I would appreciate you entering into the record, my enclosed statement regarding Senator Henry Jackson's Wilderness Protection Act of 1982 (S 2801).

The statement is consistent with my previous statements concerning the withdrawal of wilderness areas from leasing and supports Senator Jackson's withdrawal concept.

Thank you for your time and effort.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "Ed Hirschler".

EH/dht

Enclosure

cc: The Honorable Richard Cheney
The Honorable Alan K. Simpson
The Honorable Mark O. Hatfield
The Honorable John W. Warner
The Honorable Frank H. Murkowski
The Honorable Pete V. Domenici
The Honorable Dale Bumpers
The Honorable Howard M. Metzenbaum
The Honorable Spark M. Matsunaga
The Honorable John Melcher
The Honorable James A. McClure
The Honorable Henry M. Jackson

STATEMENT

By

ED HERSCHLER

GOVERNOR OF WYOMING

MR. CHAIRMAN AND SUBCOMMITTEE MEMBERS. I WOULD LIKE TO EXPRESS MY SUPPORT FOR SENATOR HENRY JACKSON'S WILDERNESS PROTECTION ACT 1982 (S 2801). ACCORDING TO THE PROPOSED LEGISLATION, THE AREAS RECOMMENDED TO CONGRESS FOR DESIGNATION AS WILDERNESS, WILDERNESS STUDY AREAS AND FURTHER PLANNING WOULD BE TEMPORARILY WITHDRAWN FROM LEASING. THE BILL ALSO PROVIDES FOR MINERAL INVENTORIES OF WITHDRAWN AREAS, REVOCATION OR WITHDRAWALS IN THE CASE OF URGENT NATIONAL NEED, PROTECTION OF VALID EXISTING RIGHTS, AND FOR LEASING UNDER WILDERNESS IF EXPLORATION AND EXTRACTION IS BELOW THE SURFACE AND IS ACCOMPLISHED FROM OUTSIDE THE WILDERNESS. THIS LEGISLATION IS EXTREMELY IMPORTANT IF THE NATION IS TO MAINTAIN A PROPER BALANCE WITHIN OUR NATIONAL WILDERNESSES AND TO INSURE THE INTEGRITY OF THAT SYSTEM.

IN SUPPORT OF THE NATIONAL WITHDRAWAL APPROACH, AN IDENTICAL MEASURE PASSED THE HOUSE ON AUGUST 12 BY A VOTE OF 340 TO 58. THROUGHOUT THE WYOMING WILDERNESS ACT HEARINGS THIS PAST SPRING, OVERWHELMING SUPPORT WAS GIVEN TO WITHDRAWING ALL WILDERNESS AREAS FROM ANY OIL AND GAS OR MINERAL DEVELOPMENT. I FEEL THAT SENATOR JACKSON'S BILL ACHIEVES THE PUBLIC DEMAND FOR WITHDRAWAL.

IT IS MY UNDERSTANDING, IF CONGRESS DOES NOT APPROVE WILDERNESS WITHDRAWAL LEGISLATION, 43 WILDERNESS AREAS WILL BE READY FOR LEASING IN THE FIRST THREE MONTHS OF 1983, AND 171 BY THE END OF 1983. IN WYOMING ALONE, THERE IS MORE THAN 25 MILLION ACRES OF PROSPECTIVELY VALUABLE OIL AND GAS LANDS UNDER FEDERAL MANAGEMENT. OF THIS ACREAGE, ONLY FOUR PERCENT IS FORMALLY OR ADMINISTRATIVELY WITHDRAWN, WHILE ANOTHER SEVEN PERCENT IS POTENTIALLY RESTRICTED DUE TO ACTUAL

WILDERNESS DESIGNATION OR ACTIVE CONSIDERATION. OBVIOUSLY, THERE IS AMPLE OPPORTUNITY TO DIRECT OIL AND GAS DEVELOPMENT TOWARDS LESS SENSITIVE AREAS. CONGRESS IS NOW CONSIDERING WYOMING WILDERNESS LEGISLATION, BUT IF THE WYOMING BILL IS NOT APPROVED, WYOMING COULD BE FACED WITH SEVERAL CONTROVERSIAL LEASING ISSUES SIMILAR TO THE GETTY OIL LEASE WITHIN THE LITTLE GRANITE CREEK AREA OF THE PROPOSED GRO VENTRE WILDERNESS AREA. UNDER THE EXISTING LAWS, REGULATIONS, SECRETARIAL ORDERS, AND OTHER FEDERAL MANDATES, THE TIME AND MONEY SPENT IN TRYING TO RESOLVE LEASING PROBLEMS SUCH AS LITTLE GRANITE CREEK AREAS, IS EXHORBINATE. THE JACKSON BILL PROVIDES A CLEAR DIRECTIVE TO THE PRESENT AND FUTURE RESOLUTION OF THE WILDERNESS WITHDRAWAL ISSUE.

I STRONGLY URGE THE SUBCOMMITTEE TO ACT FAVORABLY ON THE 1982 WILDERNESS PROTECTION ACT (S 2801). WITHOUT THIS LEGISLATION THE NATION WILL BE FACED WITH THE VERY COSTLY ALTERNATIVES OF CONTINUING ADMINISTRATIVE CONFRONTATIONS AND LEGAL BATTLES OVER THE LEASING OF WILDERNESS AREAS.


**AMERICAN
MINING
CONGRESS**

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1982 SEP 23 PM 4:30

September 23, 1982

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*Immediate Past Chairman
†Honorary

The Honorable Malcolm Wallop
Chairman
Subcommittee on Public Lands and Reserved Water
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

This letter constitutes the comments of the American Mining Congress concerning S. 2801. We ask that it be made part of the hearing record.

The American Mining Congress is an industry association that encompasses (1) producers of most of America's metals, coal and industrial and agricultural minerals; (2) manufacturers of mining and mineral processing machinery, equipment and supplies, and (3) engineering and consulting firms and financial institutions that serve the mining industry.

The American Mining Congress opposes enactment of S. 2801. The bill directly conflicts with the Mining and Minerals Policy Act of 1970 and the Materials and Minerals Policy, Research, and Development Act of 1980. It also abrogates the compromise that allowed the passage of the 1964 Wilderness Act.

S. 2801 would withdraw oil shale, coal, phosphate, potassium, sulphur, gilsonite and geothermal resources from the operation of the Mineral Leasing Act in wilderness areas prior to the closure agreed on in the 1964 Act. It also would withdraw RARE II wilderness recommended areas, RARE II further study areas, and Congressionally designated wilderness study areas. AMC members feel strongly that these areas should remain open for exploration for and development of these minerals as well as for oil and gas.

Continued....

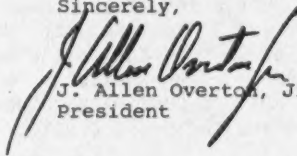
The Honorable Malcolm Wallop
September 23, 1982
Page Two

The recommendation of the President to the Congress to allow for mineral activity in the event of an urgent national need is commendable. However, I am sure you are aware that a minimum of eight years from the beginning of exploration is required before actual mining can take place. To suggest that release in the event of a national emergency or imminent danger would fulfill our national security requirements is not valid.

We urge the Subcommittee to be highly mindful of the volatile nature of the United States' mineral situation. S. 2801 will only increase minerals and energy dependence on unstable foreign sources. The land closures are inimical to national security and the general welfare of this nation.

For these reasons, the American Mining Congress urges that S. 2801 not be enacted.

Sincerely,



J. Allen Overton, Jr.
President

EXXON COMPANY, U.S.A.
POST OFFICE BOX 2180 • HOUSTON, TEXAS 77001

C. R. PATTERSON
SENIOR VICE PRESIDENT

September 23, 1982

Honorable Malcolm Wallop, Chairman
Public Lands and Reserved Water Subcommittee
3106 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Wallop:

Exxon is pleased to see that your subcommittee is reviewing S.2801, The Wilderness Protection Act. We are gravely concerned over the provisions of this bill and the deleterious effect we believe it will have on the management of our nation's resources. We submit the following comments on S.2801, respectfully requesting that they be included in the hearing record and seriously considered by the members of the subcommittee.

Yours very truly,



CRP:cw
Attachment

c - w/attachment:
Senator James A. McClure
Senator Henry M. Jackson
Senator Mark O. Hatfield
Senator John W. Warner
Senator Frank H. Murkowski
Senator Pete V. Domenici
Senator Dale Bumpers

Comments on Behalf of Exxon Company, U.S.A.
Submitted to the Public Lands and Reserved Water Subcommittee
Senate Energy and Natural Resources Committee

Exxon Company, USA is a wholly-owned subsidiary of Exxon Corporation. Exxon and its predecessor companies have been exploring for oil in virtually all areas of the United States throughout the past 100 years of our existence. We would like to offer the following comments on Senate bill S.2801 as a mark of our grave concern over the consequences that passage of this bill in its present form could have on our nation's ability to explore for and develop vitally needed natural resources.

After giving careful consideration to the proposed legislation known as the "Wilderness Protection Act", we are compelled to vigorously oppose this ill-conceived legislation. Our most serious objections are that the bill (1) withdraws vast areas which are virtually unexplored but which could have truly significant petroleum potential, (2) does not recognize the fact that petroleum exploration is necessarily a continuing process of building geologic understanding, (3) fails to consider that petroleum exploration and development normally require long lead times and cannot be "switched on" overnight, and (4) ignores the tenet that management of our public lands can and should consider all resource values.

S.2801 would effectively withdraw approximately 37 million acres of federal lands, primarily located in the western United States, from any future oil and gas exploration. Most of this land is located in the Rocky Mountain states in areas where the geology of the earth's crust is extremely complex, and in many cases rather poorly understood. As a result of our sketchy understanding of these areas and the fact that physical access to these areas is frequently very difficult, the state of exploration of these areas for their oil and gas resources can best be termed immature.

Nevertheless, Exxon considers the western U.S., and especially the Overthrust Belt portion, to be highly prospective for the future discovery of substantial amounts of oil and gas. Our studies lead us to believe that more than half of the remaining conventional oil and at least one-fourth of the remaining natural gas to be found onshore in the lower 48 states will come from the Rocky Mountain region. These estimates of course are extremely speculative because of the immature state of current geological understanding of the area. Neither Exxon nor any other organization or company can say just exactly where this remaining oil and gas may be located or precisely what the nature of these undiscovered oil and gas accumulations will be. For these reasons we firmly believe that any proposal such as S.2801 that would withdraw substantial amounts of these prospective areas from any future effective exploration is bad public policy and fails to serve the best interests of the people of the United States.

Exploration for oil and gas begins, as the distinguished geologist Wallace Pratt once said, in the minds of men. Ideas about how and where petroleum may accumulate arise from an amalgam of data from unknown areas with experience from other areas where the geologic trapping mechanisms for oil and gas are better known. These ideas are tested through the only method that provides any degree of certainty: the drill bit. Once an idea is tested and the drilling results are known, the concept is either re-enforced, or revised, or perhaps discarded completely. It is through this process of continuous accretion of well data, geophysical information and surface geological information that the geologist's understanding of the history and the current configuration of the earth's crust in that area is gradually built up.

Industry's exploration record abounds with examples that demonstrate the difficulty of finding oil and gas and emphasize the high value that must be

placed on persistence and continual access. For example, the largest known petroleum accumulation in the Gulf of Mexico, the Bay Marchand Field, had 12 dry wildcats drilled on the structure before the initial discovery well was drilled. The highly productive Williston Basin in Montana, North Dakota and Southern Saskatchewan saw 200 dry wildcats drilled before the Beaver Lodge discovery was made in 1951. And finally, though certainly not least, there were some 500 wells drilled throughout what is now called the Western Overthrust Belt, the most promising new oil and gas province in the entire United States, before the first major field, Pineview, was found in 1975.

We believe it is very unwise to lock up vast lands that could likely provide significant resources, especially when most of those lands have had minimal, if any, evaluation to date. The Wilderness Act provided and encouraged a 20-year evaluation of the mineral potential of these lands. Extensive exploration over such a limited period could have resolved much of the great resource uncertainty that now exists. Unfortunately, a series of roadblocks have prevented or delayed leases, permit applications and exploration. A negative atmosphere has discouraged applications and fostered an uncertainty that has robbed many exploration programs of their economic viability. Nevertheless there are currently over 1,000 pending oil and gas lease applications covering some three million wilderness acres. The exploration anticipated by most of these applicants will never come to fruition if the proposed legislation is enacted.

Furthermore, S.2801 proposes an unrealistic solution to obtaining oil and gas from wilderness during times of "urgent national need". Section 5 of the bill permits the President to recommend oil and gas and other mineral exploration and development to Congress in specific areas only when the urgent need for these commodities outweighs "the other public values of the wilderness lands".

This provision is of little if any use in a crisis situation. Oil and gas exploration and development creates many jobs and requires a substantial cadre of unskilled as well as skilled workers. If this work force is to be available to direct the exploration, drill the wells and produce the petroleum needed at the moment, the appropriate training and past experience must already be in place. The practical fact is that exploration is a continuum and, as we have seen, can require many years before it is able to unravel the geology of a complex area such as the Western Overthrust Belt. Furthermore, development of petroleum discoveries in wilderness areas can also, because of the rugged terrain and remoteness from markets, take many years. We believe that the crises that the bill attempts to anticipate would likely have come and gone long before any "switched on" exploration and development in wilderness areas could have yielded a significant portion of their resources.

We also have other concerns about the proposed legislation. It not only arbitrarily and permanently locks up many millions of acres of designated wilderness, but it also withdraws many additional millions of acres that have not been so designated. The wilderness study process has been going on interminably, with continuing studies of both Forest Service and BLM lands as well as other agencies. This incessant review constitutes a de facto withdrawal of a large portion of our public lands. Such land management procedures should be prohibited rather than encouraged. Furthermore, additional studies should be forbidden without specific Congressional directives.

Whatever acreage that is released for multiple use should be permanently released. It should not be subject to reviews in subsequent planning cycles or at future fixed dates. The anticipation of such future reviews fosters further uncertainty and discourages the search for energy reserves.

In order to avoid another cause of uncertainty that depresses exploratory interest, we recommend that any legislation affecting the Forest Service's RARE II lands should declare unequivocally that the January, 1979 RARE II Environmental Impact Statement is legally and factually sufficient and not subject to judicial review. Furthermore, the legislation should prohibit the Secretary of Agriculture from administrative initiation of any further roadless area review and evaluation programs.

We believe that the provision restricting oil and gas exploration to seismic surveys and coring by helicopter or other means not requiring even temporary roads or any use of explosives is needlessly restrictive and should not be included in any legislation. The noise attending seismic operations has no more than a momentary effect on wilderness values. Also these operations can be conducted so that their impact on wilderness lands is virtually unnoticeable. We believe it is important to use the most effective seismic methods possible to evaluate wilderness potential. Field seasons in these areas are brief due to weather and expensive because of the terrain. Therefore the methods used should be selected to yield the best, most complete and accurate data possible.

In conclusion, we reiterate that the proposed legislation represents bad public policy. It denies the realities of technologically proficient, environmentally compatible energy exploration. It denies future generations the opportunity for access to vital potential petroleum reserves. And it flagrantly discards the principle of multiple use that has been honored in tradition and application.

For all of the above reasons Exxon opposes this legislation and strongly urges its defeat.



P.O. Box 1384 • Boise, Idaho 83701

1982 SEP 27 AM 10:58

9/21/82

Senator Malcolm Wallop
Room 204 - Russell Building
Washington, D.C. 20510

Dear Senator Wallop:

We ask that this letter and the enclosed Fact Sheet be placed in the hearing record relative to the "Wilderness Bill" currently being considered in your Committee on Public Lands. Reference is to S-2801.

This legislation would lock up many millions of acres of government lands forever before any adequate assessment can be made as to its mineral and energy resources.

We are a nation whose economic vitality is totally dependent on having adequate energy supplies. We must be assured that these resources are available now and for future generations so that we can move our people and goods efficiently.

We urge you to continue your sound directions to meet these needs.

Sincerely:

Harold West
Harold West, Chairman
Idaho Highway Users Conference

cc: Fact Sheet
Senator Steve Symms
Senator James McClure



PO Box 1384 • Boise Idaho 83701

IHUC FACT SHEET

THE WILDERNESS PROTECTION ACT OF 1982S-2801THE BILL, AS CURRENTLY WRITTEN:

September 1982

- * Fails to strike a needed balance between responsible conservation and oil and gas exploration and development;
- * Withdraws millions of acres of government lands from use without assessment of their oil and gas potential;
- * Provides no adequate means to inventory the energy potential of those lands;
- * Proposes an unrealistic solution for obtaining minerals from wilderness areas during times of "urgent national need"; and
- * Fails to provide prompt and permanent release for those study areas found to lack wilderness characteristics.

The bill assumes that oil and gas operations are not compatible with environmental conservation. Yet available evidence clearly shows that the exploration for and production of oil and gas are compatible with maintaining environmental quality - - that such operations have a minimal and short-lived impact on the environment.

Of particular concern, however, is the assumption in the bill that a wave of the congressional hand would be all that is required to allow timely exploration and development of oil and gas resources on wilderness lands in a national emergency. In fact, even after permits to explore are granted and the search is successful, it takes up to 10 years to bring a new field into full production. And, in more remote areas not now serviced by pipelines, it could take longer. Thus, the full impact of an emergency could fall on American consumers long before withdrawn areas can be placed into production. This is a dangerous situation for the nation, considering the continuing risk of interruptions in oil imports.

The "Wilderness Protection Act of 1982" is seriously flawed and fails to address critical energy supply problems. A bill that is truly protective of American interests and which addresses the concerns of both energy supplies and environmental conservation should:

- * Provide that wilderness lands truly remain open to exploration and development for a reasonable period of time - - as was intended in the original "Wilderness Act of 1964";
- * Provide that the second Roadless Area Evaluation and Review (Rare II) serve as final wilderness review for national forest lands; and
- * Provide that Bureau of Land Management study areas recommended as unsuitable for wilderness be immediately returned to multiple use.

Congress and the nation need to know that natural resources underlie government lands before those lands are withdrawn, before a crisis occurs, and before Americans feel the effects of the proposed legislation in energy shortages at the factory, at the gasoline pump and at the residential fuel tank.

Source: Rocky Mountain Oil and Gas Assn., Highway Users Federation.

Kentucky Highway Users Conference

Box 1581
Lexington, Kentucky 40592

606/233-1111

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BOB OWEN
BLUE GRASS AUTOMOBILE CLUB
1982 SEP 20 1:00

The Honorable Wendell H. Ford
Senate Office Building
Washington, D.C. 20510

September 17, 1982

Dear Senator Ford:

We are submitting our concerns to you regarding S 2801 (The Wilderness Act of 1982) for the hearing record to be held on September 23rd within Senator Wallop's subcommittee on Public Lands.

S 2801 must be discussed openly at the September 23rd hearing to permit intelligent examination of its effect on U.S. energy supplies as well as its economic impact on U.S. Consumers.

Our objections to S 2801, as currently written, are as follows:

- Withdraws millions of acres of government lands from multiple use without assessment of their oil/gas potential or agricultural value;
- Fails to strike a needed balance between responsible conservation and oil/gas exploration and development;
- Proposes an unrealistic solution for obtaining minerals from wilderness areas during time of "urgent national need"; and,
- Fails to provide prompt and permanent release for those study areas found to lack wilderness characteristics.

We believe a bill that is truly protective of American interests and which addresses the concerns of energy supplies, agricultural usage and environmental conservation should:

- Provide that wilderness lands truly remain open to exploration, development and other forms of multiple use for a reasonable period of time -- as outlined in the "Wilderness Act of 1964";
- Provide that the second Roadless Area Evaluation and Review (RAREII) serve as the final wilderness review for national forest lands; and
- Provide that Bureau of Land Management study areas recommended as unsuitable for wilderness be immediately returned to multiple use.

Without a doubt, S 2801, in its present form, is totally unacceptable and especially so since no public hearings were permitted by the House Committee on Interior and Insular Affairs. In light of these facts, we respectfully ask your help by rejecting S 2801 in its entirety with your "no" vote when it come to the Senate floor. We also ask that the bill be given a full hearing on September 23rd.

Sincerely,

Joe Gumprecht

EXECUTIVE COMMITTEE

E. W. KESLER
KENTUCKY FARM BUREAU FEDERATION

THOMAS MAREDON
KENTUCKY PETROLEUM COUNCIL

GEORGE WILSON
KY. AUTOMOTIVE WHOLESALERS ASSN.

PAUL YOUNG
KENTUCKY MOTOR TRANSPORT ASSOC.



MINERALS
EXPLORATION
COALITION

NEW ADDRESS: 12640 W. Cedar Dr.
P.O. Box 15638
Denver, CO 80215
(303) 989-5567

September 14, 1982

The Honorable Malcolm Wallop
United States Senate
Washington, D.C. 20510

Dear Senator Wallop:

The Senate may soon begin consideration of S.2801, "The Wilderness Protection Act of 1982." A great deal of controversy surrounds this legislation and considerable "ink" was spilled during the House debate on a similar measure.

The Minerals Exploration Coalition opposes this bill for the following reasons: (1) Abrogation of provisions in original Wilderness Act; (2) Drastic effect on risk capital and exploration programs; (3) Misperceived "threat" to wilderness areas; and (4) No "release" language.

Abrogation of Provisions in Wilderness Act

The balance struck in 1964 with the classification of the first 9 million acres of "Wilderness" and the 20-year period to explore that acreage will be all but destroyed by this legislation. And while industry initiated exploration programs in good faith, all the "rules" will have been changed. The wilderness advocates have expanded the acreage in the National Wilderness Preservation System (NWPS) by 800 percent over the past 18 years yet they have insisted that the "time clock" allowing for exploration be frozen at 1983. Now they are trying to "beat the clock" by withdrawing the acreage upon enactment and are also increasing the withdrawn acreage to include designated wilderness; RARE II wilderness recommendations; RARE II further planning and Congressionally mandated wilderness study areas. Although the bill recognizes the need for continued exploration for hard rock minerals, the signal sent by this legislation to the land managing agencies will be confusing because it is unclear just what operations would be allowed.

Drastic Effect on Risk Capital

The uncertainty surrounding land managing agencies' decision, especially on sensitive land, has all but dried up risk capital available for exploration programs in wilderness areas. If this bill passes, the capital needed to launch exploration programs for any roadless or wilderness study area for any mineral could probably not be justified.

We do not believe that it is the intent of this bill to stop all exploration activity on roadless areas; however, such a scenario could certainly develop. It is because of such far-reaching implications that we urge careful consideration of the ramifications of this bill before passage.

Misperceived "Threat" to Wilderness Areas

The wilderness proponents have used the rallying cry that S.2801 is an "effort to protect the nation's last remaining wilderness." We believe that exploration can take place with only minimal surface damage. The information gathered by exploration is a vital component to good land use decisions. Without the knowledge gained by exploring the subsurface, mineral and energy resources could be denied. By withdrawing roadless areas that have only been recommended for wilderness or those RARE II areas that were specifically categorized for "further planning," i.e. study, the wilderness proponents are deliberately forcing ill-formed decisions based on inadequate information.

No "Release" Language

Wilderness proponents insist that "release" is synonymous with "development." To explorationists, "release" would provide some "certainty" as to when lands which were studied and found unsuitable for wilderness would be available for other uses.

Additional Hearings

We feel that this legislation would have such far-reaching effects on this nation's resource base that hearings should be held.

Page 3

Further testimony to clarify what operations would be allowed could be gathered at that time. We would welcome an opportunity to share with the committee the information we have compiled on the minimal effects of mineral exploration on surface resources.

Sincerely,

MINERALS EXPLORATION COALITION

W. Glen Zinn
President

**The Mountaineers**

719 Pike Street • Seattle, Washington 98101 • (206) 623-2314

BRANCHES IN TACOMA, EVERETT AND OLYMPIA

September 23, 1982

The Honorable Henry M. Jackson
Room 137, Russell Center Office Bldg.
Washington D.C. 20510

Re: S.2801

Dear Senator Jackson:

On April 16, 1982, The Mountaineers submitted testimony before a House Subcommittee in Seattle opposing oil and gas leasing in wilderness areas. We very much appreciate your sponsorship for S.2801 which is the Senate bill providing similar protection. Your effort in obtaining fifty-five Senators as co-sponsors is most impressive.

With this number of Senators co-sponsoring the legislation it is almost certain to pass. However we are concerned that there may be attempts to attach weakening amendments to the bill. We strongly oppose any weakening amendments, particularly:

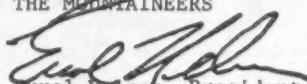
- a. An amendment setting deadlines for Congress to designate wilderness areas.
- b. An amendment excluding wilderness study areas from the protection of the bill.
- c. An amendment allowing explosives for seismic exploration in designated wilderness areas.

Our prior testimony before the House Subcommittee sets out our position on these amendments in greater detail.

Please include this letter as testimony for the hearing on September 23, before the Energy and Natural Resources Committee.

Sincerely,

THE MOUNTAINEERS


Errol Nelson, President

NW:kg

**The Mountaineers**

719 Pike Street • Seattle, Washington 98101 • (206) 623-2314

BRANCHES IN TACOMA, EVERETT AND OLYMPIA

September 17, 1982

The Honorable Henry Jackson
Senate Office Building
Washington D.C. 20510

Dear Senator Jackson:

The Mountaineers has worked closely with you and your office during the campaign to create a monument for Mount St. Helens. We supported the conservationist proposal which had boundaries which were larger than the boundaries which were finally enacted into law; however we are well aware of the many competing demands and the differing arguments which had to be considered by Congress in shaping the legislation. We are very grateful for your support in shaping the final language of the legislation and guiding it through the Senate. Mount St. Helens is another highly visible example of your distinguished career and your efforts over many years to protect our natural resources and wilderness areas.

Sincerely,

THE MOUNTAINEERS

Errol Nelson, President

EN:kg

...TO EXPLORE. STUDY. PRESERVE AND ENJOY THE NATURAL BEAUTY OF THE NORTHWEST



NATIONAL WILDLIFE FEDERATION

1412 Sixteenth Street, N.W., Washington, D.C. 20036

202-797-6800

TESTIMONY BEFORE THE SENATE SUBCOMMITTEE ON
PUBLIC LANDS AND RESERVED WATER ON
S. 2801, THE WILDERNESS PROTECTION ACT OF 1982

PRESENTED BY
PATRICK A. PARENTEAU, VICE PRESIDENT FOR
RESOURCES CONSERVATION
SEPTEMBER 23, 1982

Mr. Chairman -

Thank you for this opportunity to testify in support of S. 2801. The National Wildlife Federation is a non-profit conservation education organization with over four million members and supporters in all fifty states, Guam, Puerto Rico and the Virgin Islands.

While the Federation recognizes and supports the many multiple use benefits of the wilderness land use concept, its increasing value as essential habitat for many wildlife species is often overlooked by both proponents and opponents of wilderness designations. My testimony will focus, therefore, on wilderness as an important wildlife management option and I'll leave to the other panelists wilderness's many additional attributes. The Federation would also like to demonstrate the broad based citizen support that exists for this type of legislation.

Federation policy rests on resolutions approved by delegates of our state affiliate organizations. In the annual meeting assembled March 18-21, 1982 NWF affiliates approved the following statement of policy regarding mineral exploration and development in wilderness areas:

The National Wildlife Federation ... supports legislation that would prohibit energy and mineral exploration and development on public lands currently in existing wilderness, wilderness study areas, areas recommended for wilderness and lands identified for further study by RARE II.

The adoption of this policy was prompted by several events:

(1) Secretary Watt's statement in May, 1981 that one of his goals would be to open wilderness areas to oil and gas leasing; (2) the publicizing of lease applications on the Washakie Wilderness in Wyoming, the Caney Creek Wilderness in Arkansas, and the Ventana Wilderness in California; and (3) the issuance of the El Capitan lease in New Mexico. The problem became even more acute in February of 1982 when Secretary Watt proposed legislation on national television which would have, in our view, invited the destruction of the wilderness preservation system. Additionally, the existence of lease applications covering 49,000 acres of Alpine Lakes Wilderness in Washington State and 31,620 acres of Maroon Bells-Snowmass Wilderness of Colorado, which could have severe adverse impacts on hunting, fishing and primitive recreation further fueled the controversy.

The over 1,000 current lease applications pending in the Wilderness System were inspired, in part, by the aggressive anti-wilderness leadership of Secretary Watt who maintains, as do the solicitors for the Department of Agriculture, that lease applications cannot be denied solely on the grounds that wilderness values will be jeopardized. Congress must provide clear direction to the Departments of Interior and Agriculture that wilderness areas will not be opened to oil and gas development. In the absence of such

direction, and upon expiration of the current moratorium, millions of acres of this nation's wilderness areas will be threatened by incompatible development.

In addition to the NWF national resolution quoted above, a July 1981 NWF membership survey provides further evidence of the strong feeling among its members that oil and gas leasing should be precluded in wilderness areas and areas under formal consideration for wilderness designation. A questionnaire designed to obtain the views of NWF grassroots leaders and members on eleven major policy issues was sent to over 4000 individuals randomly selected from associate membership files and to the leadership of its state affiliate organizations. A sixty-five percent response rate from associate members and seventy percent response rate from affiliate members was recorded.

One of the questions in this survey addressed the wilderness development question. It should be noted that in July, 1981 when the poll was conducted, NWF assumed designated wilderness would remain off limits to leasing. The questionnaire, therefore, asked members' views on whether wilderness study areas, which were considered at the time more vulnerable to a change of administrative policy, should be open to energy development. The response was clear, with 96% of those responding rejecting the notion that wilderness study areas should be opened. Implicit in the findings is the conclusion that NWF members would have also strongly opposed the Secretary's position that designated wilderness areas should be subject to leasing and development.

Why do NWF members and state affiliates believe the issue warrants action called for in our resolution and in S. 2801? I am sure it is for numerous reasons, but for many, including wildlife professionals and westerners, it is the growing evidence that essential habitat for many big-game species is being lost to energy development at an alarming and ever increasing rate on public lands.

In Wyoming, the State Game and Fish Department estimates that more than 100,000 acres of important wildlife habitat have been lost in the past decade in the state because of coal mining, oil and gas development and uranium mining. In the words of Robert Case, a researcher for the Colorado Energy Research Institute which is studying the impacts of resource development on wildlife in Colorado, "The potential is very great that wildlife habitat as we know it in this region will be lost through energy development."

Colorado and Wyoming are typical of what is happening on public lands generally. Across the West, the Bureau of Land Management has issued leases for nearly 30 million acres of BLM lands in the non-competitive oil and gas leasing program in the first three quarters of FY 1982. The agency predicts that it will break the 35 million acre mark for acreage leased by October 1, the end of the current fiscal year. To put this in perspective, BLM will lease more public land in FY 1982 than will be withdrawn should S. 2801 become law. In response, officials and laymen alike are realizing that wilderness provides essential undisturbed habitat for wildlife and people in a region witnessing massive land use conversions.

Wilderness serves as a vital habitat for many species such as the elk of the Bob Marshall Wilderness which migrate to the Sun River Range on the Rocky Mountain Front. Other examples of the contributions of wilderness to the overall habitat requirements of fish and wildlife are numerous. In western Montana the Dolly Varden trout has a life cycle that requires both Flathead Lake, a non-wilderness area, and wilderness watersheds. Key to preserving quality spawning and rearing habitat for this species is the Great Bear Wilderness which includes much of the watershed drained by the Middle Fork of the Flathead River. Wilderness designation which includes protection from incompatible energy development ensures nondegradation of this critical aquatic habitat.

Today, over half the spawning sites of the Flathead Dolly Varden are found in the Middle Fork of the Flathead River drainage. The spawning potential of the South Fork of the Flathead River is blocked by Hungry Horse Dam and the North Fork is threatened by coal mining, logging, oil and gas development and other development proposals. This is one example of how wilderness contributes to the enjoyment of a fishery resource for people who may never set foot there. The Great Bear Wilderness in the Flathead National Forest which protects this habitat is one of the 171 wilderness areas on which oil and gas lease applications are pending and which will be ready for possible leasing after the moratorium expires, according to the U.S. Forest Service.

Another clear example of wilderness as the preferred wildlife management option, and one familiar to the Committee, is the Whiskey

Mountain Primitive Area in Wyoming which was recommended for wilderness designation by the Wyoming Fish and Game Commission and by the Wyoming Wildlife Federation. According to Commission Director, Don Dexter, who reviewed the history of the tract's management and its value to a herd of 950 Bighorn Sheep in a recent Casper Star Tribune newspaper article, "We concluded that the best long term designation for that sheep herd is wilderness and that's what we're going to recommend."

The options in this case were clearly constrained by the proposed release language which provided little in the way of a compromise land-use designation. But the fact remains that wilderness sometimes is the last resort for management of some species whose habitat requirements are large amounts of undisturbed land. Perhaps the best example of wilderness as a "last resort" wildlife management option is the 1200 acre California Condor Sanctuary in the San Rafael Wilderness of the Los Padres National Forest.

S. 2801 will ensure that such areas remain undisturbed by energy leasing. To NWF members and affiliates passage of S. 2801 will mean that a certain percentage of quality hunting, fishing and primitive recreation will survive the energy boom that is fast overtaking the nation's public lands.

In 1980 NWF addressed the controversial "release" issue in a very detailed resolution which is attached to my statement in its entirety. Briefly, the resolution reaffirmed NWF's support of careful review of wilderness proposals which would be impaired by legislation setting strict Congressional timetables for review of agency recommendations. The resolution specifically opposes the instant

legislative commitment of all areas recommended for non-wilderness to permanent non-wilderness management and the reversion to non-wilderness status if action is not taken by Congress within certain deadlines.

The Federation strongly urges the Energy and Natural Resources Committee and the Senate to quickly approve S. 2801 in its present form. We will strongly oppose amendments which substantially weaken the bill. In particular, we urge the Senate to forego adding a nationwide release provision to S. 2801. We favor release language on an individual state-by-state basis, modelled on the Colorado, New Mexico and Alaska bills.



National Wildlife Federation

1412 16TH ST., N.W. WASHINGTON, D.C. 20036

202-797-6800

Resolution No. 27

FOREST SERVICE WILDERNESS REVIEW

WHEREAS, between 1977 and 1979 the Forest Service conducted a review called RARE II (the second Roadless Area Review and Evaluation) of the remaining roadless acreage in the National Forest System in order to determine which areas to recommend to Congress for wilderness, which areas to plan for nonwilderness and which areas to study further for wilderness suitability; and

WHEREAS, the Administration and the Forest Service sent a recommendation to Congress for about 15.4 million acres for wilderness, 36 million for non-wilderness, and another 10.6 million for further study; and

WHEREAS, Congress is now considering these recommendations on a case-by-case basis, allowing citizens and the relevant committees the opportunity for careful scrutiny of boundary modifications, resource trade-offs and special management provisions for individual areas; and

WHEREAS, some members of Congress have introduced legislation which would mandate permanent Forest Service management of all the RARE II areas recommended for non-wilderness for multiple-use other than wilderness "notwithstanding any other provision of law"; and

WHEREAS, this legislation would also set timetables for Congressional review of areas recommended for wilderness and of areas placed in further study, with multiple-use other than wilderness permanently mandated if Congress fails to act on the recommendations within the times specified; and

WHEREAS, these provisions undercut and circumvent the regular Forest Service land use planning process established by the Multiple Use-Sustained Yield Act of 1960 and the Resources Planning Act of 1974; and

NOW, THEREFORE, BE IT RESOLVED that the National Wildlife Federation in annual meeting assembled March 20-23, 1980, in Miami Beach, Fla., hereby reaffirms its support of principles of close and careful review of wilderness proposals, including, coordination between state affiliates and NWF staff, special attention to boundaries and to possible conflicts between wilderness and non-commodity multiple uses like wildlife management representation of areas of varied landform, ecosystem and unique plant and animal life, and ample opportunity for public involvement, all of which would be impaired by proposed legislation setting Congressional timetables and mandating non-wilderness for RARE II recommendations; and

BE IT FURTHER RESOLVED that this organization opposes the instant legislative commitment of all RARE II areas recommended for nonwilderness to permanent non-wilderness management and also opposes the short (4-5 year) timetable for Congress to review areas recommended for wilderness, with the automatic lapse to non-wilderness if action is not taken.

OHIO TRANSPORTATION USERS CONFERENCE



88 East Broad Street, Suite 1960
Columbus, Ohio 43215

September 17, 1982

The Honorable Howard Metzenbaum
Senate Office Building
Washington, D.C. 20510

Dear Senator Metzenbaum:

We are submitting our concerns to you regarding S 2801 (The Wilderness Act of 1982) for the hearing record to be held on September 23rd within Senator Wallop's subcommittee on Public Lands.

S 2801 must be discussed openly at the September 23rd hearing to permit intelligent examination of its effect on U.S. energy supplies as well as its economic impact on U.S. Consumers.

Our objections to S 2801, as currently written, are as follows:

- Withdraws millions of acres of government lands from multiple use without assessment of their oil/gas potential or agricultural value;
- Fails to strike a needed balance between responsible conservation and oil/gas exploration and development;
- Proposes an unrealistic solution for obtaining minerals from wilderness areas during time of "urgent national need"; and,
- Fails to provide prompt and permanent release for those study areas found to lack wilderness characteristics.

We believe a bill that is truly protective of American interests and which addresses the concerns of energy supplies, agricultural usage and environmental conservation should:

- Provide that wilderness lands truly remain open to exploration, development and other forms of multiple use for a reasonable period of time -- as outlined in the "Wilderness Act of 1964";
- Provide that the second Roadless Area Evaluation and Review (RAREII) serve as the final wilderness review for national forest lands; and
- Provide that Bureau of Land Management study areas recommended as unsuitable for wilderness be immediately returned to multiple use.

Without a doubt, S 2801, in its present form, is totally unacceptable and especially so since no public hearings were permitted by the House Committee on Interior and Insular Affairs. In light of these facts, we respectfully ask your help by rejecting S 2801 in its entirety with your "no" vote when it come to the Senate floor. We also ask that the bill be given a full hearing on September 23rd.

Sincerely,

William W. Baker
Chairman



Affiliated with the Highway Users Federation for Safety and Mobility


RECREATIONAL EQUIPMENT INC.

P.O. Box 88128

Seattle, Washington 98188 U.S.A.

(206) 675-4480 Telex # 32-9464 REC EQUIP TKLA



September 29, 1982

The Honorable Henry M. Jackson
 U.S. Senate Building
 Washington, D.C. 20510

Submission for the hearing record on S.2801
 Senate Committee on Energy and Natural Resources

My name is Nancy Miller. As Chairman of the Board of Recreational Equipment, Inc. (REI Co-op), I am submitting this testimony in support of S.2801. REI Co-op is a recreational equipment cooperative which is the largest consumer cooperative in the United States. Our one million members span the entire country; we had over four hundred thousand active purchasers last year alone. Our sales of outdoor related equipment were over \$55 million in 1981.

I am submitting this testimony to voice REI Co-op's support for legislation that would protect wilderness from energy and mineral exploration. Most of our members are wilderness users. The wilderness sustains our cooperative by providing a place for people to enjoy the out-of-doors, and use our products. We believe that the preservation of wilderness areas is important for the continued success and prosperity of REI Co-op.

We strongly oppose the proposals put forth by Interior Secretary Watt, and others, to open wilderness areas to energy and mineral development. Wilderness areas should be a last resort in our search for energy. By most estimates, more than two-thirds of the potentially producible oil and gas in the U.S. lies on non-federal lands.

Wilderness areas are extremely important as a place for recreation, an escape from the pressures of 20th century living. And they are important for another reason. These unaltered ecosystems are becoming the last of their kind on earth. Humanity must have a few wholly natural places: for study, for use as a data base for research, for a measurement of the forces of natural change and dynamics, and as a potentially essential gene pool. This resource is simply not replaceable once tampered with.

For these reasons, exploration must not be allowed in wilderness areas. Under the comforting label of "exploration" several years of intense mechanized activity can invade and conquer a wilderness area. Activities like explosive charges, road building, and the use of heavy equipment would have a severe and lasting impact on recreationists and wilderness alike.

REI Co-op's Board of Directors would like to express strong support for S.2801, which would ban energy and mineral development in wilderness areas. We further encourage you to oppose any weakening amendments to this legislation.

In conclusion, we urge you to be firm in your response to administration proposals that threaten wilderness. Permanent protection for our wilderness heritage is much more important than its short term exploitation.

Thank you for this opportunity to comment.

Nancy Miller
Nancy Miller (KMB)
Chairman

176F



NEWS

SIERRA CLUB WASHINGTON OFFICE

For Release:
9:00 AM
September 23, 1982

Contact:
Polly Freeman 547-1141

SIERRA CLUB PRAISES JACKSON BILL

"No issue before the 97th Congress in the brief remaining time of this session is of greater concern to our members," said Mike McCloskey, the Sierra Club's Executive Director, referring to wilderness protection and S. 2801, the Wilderness Protection Act. McCloskey appeared before the Public Lands and Reserved Water Subcommittee of the Senate Energy and Natural Resources Committee today and expressed enthusiastic support for the bill, which prohibits oil and gas exploration in wilderness areas. "We want to do everything we can to assist this Committee in moving this legislation, in its present form, to enactment."

McCloskey commended Senator Henry Jackson (D-WA) for his leadership role in introducing and encouraging cosponsorship of the legislation, which is identical to the House bill, H.R. 6542. McCloskey cautioned against potential amendments to the bill, specifically changes which would permit seismic exploration in wilderness areas or include "release language" in its provisions. "Addition of such amendments would make it impossible for the Sierra Club to support the bill; we

330 Pennsylvania Avenue, S.E. ^{-more-} Washington, D.C. 20003 (202) 547-1141

SIERRA PRAISES S. 2801

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September 23, 1982

would have no choice but to vigorously oppose the bill as a whole," he stated.

While acknowledging that S. 2801 omits protection of wilderness study areas and fails to deal with the issue of hard rock mining in wilderness areas, McCloskey praised its overall intent and emphasized the broad popular support for wilderness protection generally and this bill in particular. "I have never witnessed a clearer public consensus," he said. "The American people do not want wilderness lands opened to this kind of development. Period."

#



September 23, 1982

1982 SEP 27 1301 E. WASHINGTON ST.
P.O. BOX 279
URBANA, ILLINOIS 61801
M 10 56

The Honorable Malcolm Wallop
United States Senate
Washington D.C. 20510

Dear Senator Wallop,

Senator James McClure has scheduled hearings on S 2801 before the Natural Resources Committee of which you are a member. I oppose the bill as now written.

I have reason to believe there are good reasons why certain wilderness areas should be protected against mineral and oil exploration; however to permanently close this vast land area without assessment of its mineral value would eliminate most of the benefit that American people could derive from them.

Most of us love areas of natural beauty where we can enjoy the scenery and wildlife. Careful consideration of proposed amendments to S 2801 will allow proper mineral assessment and enjoyment of the areas to the benefit of all American citizens.

I urge you to support amendments to S 2801 that ensure these lands are not permanently closed to energy-mineral assessment.

Yours truly,

RUSSELL STEWART OIL COMPANY

Deane R. Stewart
President

DRS/ie



615/244-6290

1982 SEP 24 AM 9:41

CHAIRMAN
Bob Pitts
Tennessee Motor Transport Assn.

VICE CHAIRMAN
K. C. Dodson

SECRETARY-TREASURER
Phillip W. Brooks
Volunteer State Oil Committee

September 20, 1982

EXECUTIVE COMMITTEE

Thomas H. Price
Mid-South Automobile Club
Stan Owens
Tennessee Building Material Assn.
Carter H. Witt
Tennessee Manufacturers Assn.
Erma Choate
Tennessee Hotel Motel Assn.

Honorable Howard H. Baker
United States Senate
4123 Dirksen Building
Washington, D.C. 20510

Dear Senator Baker:

We urge your opposition to S 2801. This legislation sets aside thirty-seven million acres of land as wilderness before it has been thoroughly accessed for its energy resource potential. These lands would not be immediately available under emergency conditions because lead time for oil and gas development is three to ten years.

This Conference activity is consistent with our previous communications striving to move the nation to a more energy independent position.

We are requesting that these comments be entered into the hearings before Senator Wallop's Subcommittee on Public Lands of the Senate Energy Committee. A copy of this letter is being sent directly to the subcommittee.

Thank you for your attention to this matter and your past cooperation.

Sincerely,

Bob Pitts

cc: Sen. Malcolm Wallop, Chairman
Public Lands & Reserved Water Subcommittee

TEXACO

U. S. A.

SEP 13 11 12:04

JAMES W. KINNEAR
PRESIDENT

P.O. BOX 52322
HOUSTON, TEXAS 77052

September 3, 1982

The Honorable James A. McClure
3121 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator McClure:

During the 97th Congress, various wilderness bills have been considered. Few, however, satisfactorily address the issues concerning access to government lands. Unless an equitable solution is reached, potentially vast amounts of domestic energy resources will be denied the American public unnecessarily.

The House recently passed H.R. 6542, "The Wilderness Protection Act of 1982." The margin of victory in the House was large, but we are not convinced that the issue received the full attention of the members due to the speed with which H.R. 6542 moved through the committee and to the floor. There was evidently a presumption on the House side that the Senate would not pass this legislation. We are concerned, however, that the Senate counterpart (S. 2801) has many co-sponsors. While the bill may seem politically enticing, passage would deal a serious blow to the Nation's prospects for energy security.

Section 2 of S. 2801 prohibits oil and gas leasing in designated wilderness areas, RARE II recommended wilderness areas, Congressionally designated wilderness study areas and Forest Service further planning areas. Notably, the bill does nothing to alleviate the de facto development prohibitions affecting Bureau of Land Management wilderness study areas arising under Section 603 of the Federal Land Policy and Management Act. Taken together, these land categories alone account for over 60 million acres where multiple-use development is effectively prohibited. Much of this acreage lies in the Western Overthrust Belt or other areas prospective for oil and gas. According to the Rocky Mountain Oil and Gas Association, our Nation has 229 million acres (including Alaska) in wilderness or wilderness study categories. This totals almost one-third of the federal land base of more than 737 million acres. This is a tremendous amount of acreage to be placed off-limits to oil and gas development at a time when events in the Middle East further underline the vulnerability of foreign sources of petroleum.

Senator James A. McClure

- 2 -

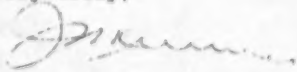
September 3, 1982

As mentioned above, S. 2801 goes beyond protecting designated wilderness areas and prohibits activities on numerous federal lands simply being studied for possible inclusion in the wilderness system. By failing to provide for the timely release of non-designated wilderness acreage to multiple-use, S. 2801 will do little to overcome the de facto withdrawal presently shrouding many public lands. Enactment of S. 2801 will perpetuate indeterminate studies and deprive the Nation of the opportunity to develop its energy resources in a timely and orderly fashion. In short, S. 2801 is a bad bill. It does not comprehensively address or equitably resolve the questions surrounding the wilderness issue. Accordingly, we urge the Senate to reject S. 2801.

Aside from the content of this legislation, we note that H.R. 6542 moved too quickly through the House. Not a single hearing was held on H.R. 6542. Neither the Public Lands Subcommittee nor the full Committee received testimony on the specific provisions of the bill. There was no analysis of the impact H.R. 6542 might have on such critical areas as petroleum prices, supply and American energy independence. Any bill purporting to resolve the uncertainties surrounding the wilderness issue deserves a critical analysis including extensive public hearings. We are pleased to note that the Senate Energy Committee is soliciting testimony as part of a formal hearing process, and we trust that the Committee will conscientiously examine the content and effects of S. 2801.

Before closing there is one other fundamental point we wish to make. Texaco considers wilderness areas to be significant natural resources. We want to dispel the misguided belief that the petroleum industry is not concerned about the environment and the preservation of nature's beauty for future generations. Texaco employees nationwide appreciate nature and, as a group, understand each citizen's stewardship towards the earth's resources. We are, however, quite concerned that many groups, including government agencies and elected officials, believe that oil and gas activity cannot exist without despoiling the land. Though unfounded in fact, such beliefs have led to de facto withdrawals and the imposition of unreasonable lease stipulations. Instead of assuming adversarial roles, government and industry should work together to produce the domestic energy the Nation so desperately needs while preserving the beauty we all prize so highly. The two objectives are not mutually exclusive.

Yours very truly,



JWK:Nbl

NB/qq

cc: Senate Committee on Energy
and Natural Resources

TEXACO
U.S.A.

J. DONALD ANNETT
VICE PRESIDENT

September 28, 1982

1050 17TH STREET, N.W.
SUITE 500
WASHINGTON, D.C. 20036

The Honorable James A. McClure
3204 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator McClure:

Given the outstanding witness list at the recent hearing on S. 2801, we felt that Texaco's verbal testimony on the issue of prohibiting oil and gas development in wilderness and wilderness study areas would be unnecessary. However, we do feel strongly that S. 2801, as it now stands, is not a satisfactory solution to the problem of balancing energy security needs and environmental protection. Accordingly, we are enclosing herewith our comments on the legislation. We would appreciate your entering said comments in the official record.

Very truly yours,



JDA:caj
Enclosure

S. 2801 - WILDERNESS PROTECTION ACT OF 1982
SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES

COMMENTS OF TEXACO INC.

During the 97th Congress, various wilderness bills have been considered. Few, however, satisfactorily address the issues concerning access to government lands. Unless an equitable solution is reached, potentially vast amounts of domestic energy resources will be denied the American public unnecessarily. S. 2801, while perhaps politically enticing, does not represent an equitable solution. In fact, we believe that passage would deal a serious long-term blow to the Nation's prospects for energy security.

Section 2 of S. 2801 prohibits oil and gas leasing in designated wilderness areas, RARE II recommended wilderness areas, Congressionally designated wilderness study areas and Forest Service further planning areas. Notably, the bill does nothing to alleviate the de facto development prohibitions affecting Bureau of Land Management wilderness study areas arising under Section 603 of the Federal Land Policy and Management Act. Taken together, these land categories alone account for over 60 million acres where multiple-use development is effectively prohibited. Much of this acreage lies in the Western Overthrust Belt or other areas prospective for oil and gas. According to the Rocky Mountain Oil and Gas Association, our Nation has 229 million acres (including Alaska) in wilderness or wilderness study categories. This totals almost one-third of the federal land base of more than 737 million acres. This is a tremendous amount

of acreage to be placed off-limits to oil and gas development at a time when events in the Middle East further underline the vulnerability of foreign sources of petroleum.

As mentioned above, S. 2801 goes beyond protecting designated wilderness areas and prohibits activities on numerous federal lands simply being studied for possible inclusion in the wilderness system. By failing to provide for the timely release of non-designated wilderness acreage to multiple-use, S. 2801 will do little to overcome the de facto withdrawal presently shrouding many public lands. Enactment of S. 2801 will perpetuate indeterminate studies and deprive the Nation of the opportunity to develop its energy resources in a timely and orderly fashion. In short, S. 2801 is a bad bill. It does not comprehensively address or equitably resolve the questions surrounding the wilderness issue. Accordingly, we urge the Senate to reject S. 2801.

Aside from the content of this legislation, we note that the companion bill, H.R. 6542, moved too quickly through the House. Not a single hearing was held on H.R. 6542. Neither the Public Lands Subcommittee nor the full Committee received testimony on the specific provisions of the bill. There was no analysis of the impact H.R. 6542 might have on such critical areas as petroleum prices, supply and American energy independence. Any bill purporting to resolve the uncertainties surrounding the wilderness issue

deserves a critical analysis including extensive public hearings. We are pleased to note that the Senate Energy Committee is soliciting testimony as part of a formal hearing process, and we trust that the Committee will conscientiously examine the content and effects of S. 2801.

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TEXACO INC.

P. O. BOX 6000
NEW ORLEANS, LA. 70160

1982 SEP 30 11 0 20

LEGAL DEPARTMENT

September 28, 1982

Honorable Malcolm Wallop
Senate Energy and Natural Resources
Committee
3104 Dirksen Senate Office Building
Washington, D.C. 20010

Dear Senator Wallop:

I urge you to vote FOR S.2801 to restrict access to government lands which would ban oil and gas leasing in designated wilderness areas.

Texaco Inc. has urged its employees through "VLAP" (Volunteer Letter Action Program) to write to members of your Committee. I am pleased to address this issue but cannot morally take the position that the oil industry should be allowed to develop oil exploration on government owned wilderness lands. Especially as a taxpayer I am sensitive to this issue and do not want to see these lands exploited.

I agree with Mr. Kinnear's statement in his letter to your Committee dated September 3, 1982, a copy of which was sent to Texaco Inc.'s employees, that in the House of Representatives H. R. 6542 was "politically enticing", but personally, also believe that it was morally right. I commend the House of Representatives for passage of this legislation.

A memorandum was sent to employees stating that "The oil and gas industry has an excellent track record of environmental protection." I cannot believe that any fair-minded person would agree with this as we hear of oil spills in oceans and waterways regularly.

I thank Texaco Inc. for calling this issue to our attention, and, although I cannot lobby for their position, am proud to live in a democratic society where I can voice my opinion and urge you to vote to pass S.2801. Thank you for taking the time to consider my view.

Yours very truly,

Lynell D. Zelenka
LYNELLE D. ZELENKA

TRUE OIL COMPANY

RIVER CROSS ROAD

CASPER, WYOMING
P. O. DRAWER 280
PHONE 237-9361
82601

September 24, 1982

The Honorable James A. McClure, Chairman
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Senator McClure:

The following are my comments on S.2801.

S.2801 would be an absolute catastrophe on the American people and particularly on the oil and gas industry. The American people have no actual knowledge of what this bill would do to energy and mineral exploration in production companies which have a direct bearing on the standard of living of the American people, which is the number one standard of living in the entire world.

There have been no hearings on S.2801 other than the one on September 23, 1982 in Washington, D.C. You are strongly urged to have hearings in all of the western states affected by this bill -- and it would certainly be advisable to have not just one hearing in each state but a number of hearings in each state. In a recent poll in Wyoming, it was found that 57% of the people did not want any additional wilderness areas declared in the state of Wyoming; and they also wanted all of the "Further Planning" and "Study Areas" released back to multiple use. This sort of information should be brought out in the open and put on record.

S.2801 withdraws nearly 37,000,000 acres of land from mineral leasing before they have had any sort of inventory as to potential for oil and gas, minerals, metals, etc. It is absolutely stupid to withdraw this amount of land when we continue to import approximately 1/3 of our total crude oil needs at an annual 1981 cost of over \$71,000,000,000. Now is the time to decrease our dependance on imported crude oil and increase our own crude oil production for national security reasons, standard of living, etc. S.2801 would increase the formal public land withdrawals by approximately 75%.

The Honorable James A. McClure
September 24, 1982
Page 2

Oil and gas exploration and production does not create permanent impairment of wilderness characteristic -- as a matter of fact, the reclaimed land of abandoned well sites, rights-of-way, etc. are in much better shape after reclamation than they were before the exploration activities took place. Oil and gas operations are totally compatible with sensitive environmental values, and we should not let the environmental extremists lead us to believe that this is not true.

Over 40% of the acreage affected by S.2801 is in "Study Areas" and these "Further Planning" areas recommended wilderness and congressionally mandated areas would be withdrawn from mineral activity despite the fact that Congress has not yet determined that these areas are suited for wilderness designation. Additionally, the Wilderness Act of 1964 spells out specifically that the mineral potential of all of the Rare II and FLPMA study lands determined so that Congress could make informed decisions on whether public land should be made into wilderness areas or if they should be used by all of the public as multiple use lands. Once again, it would be absolutely stupid to withdraw these areas from mineral activity before they had been evaluated as far as mineral potential is concerned.

Another terrible portion of this bill is the total lack of the critical issue of release language. It is absolutely essential to balanced legislation that statutory language which permanently releases for multiple use of Rare II lands found unsuitable for wilderness recommendation. S.2801 is an absolute failure in putting to an end the continuous study, study, study, of Forest Service lands for their wilderness potential. The delays and uncertainties caused by these continuing studies must be eliminated now. Rare II was and must now still be considered to be an adequate study of forest lands for their wilderness potential.

S.2801 fails to respond to the legal and factual sufficiency question surrounding the judicial review of the Rare II Final Environmental Impact Statement -- this is a matter of extreme importance which Congress cannot ignore if non-wilderness and Rare II lands are ever to be freed from these continuing legal challenges so that they can be managed for multiple use.

The Honorable James A. McClure
September 24, 1982
Page 3

You are strongly urged once again to have full and serious hearings in all of the western states affected by S.2801 -- and not just one hearing per state but a minimum of two or three in each state.

Sincerely yours,

Robert O. Byron
Administrative Asst.
to H. A. True, Jr.

ROB/mk

cc: The Honorable Malcolm Wallop
The Honorable Richard Cheney
The Honorable Alan K. Simpson
The Honorable Mark O. Hatfield
The Honorable Lowell P. Weicker, Jr.
The Honorable Pete V. Domenici
The Honorable John W. Warner
The Honorable Gordon J. Humphrey
The Honorable Frank H. Murkowski
The Honorable Don Nickles
The Honorable John P. East
The Honorable John Heinz
The Honorable J. Bennett Johnston, Jr.
The Honorable John Melcher
The Honorable Bill Bradley



WEXPRO COMPANY

79 SOUTH STATE STREET • P.O. BOX 11070 • SALT LAKE CITY, UTAH 84147 • (801) 530-2548

G. A. PEPPINGER
VICE PRESIDENT
LANDS & ADMINISTRATION

September 23, 1982

Senator Malcolm Wallop
Committee on Public Lands and
Reserve Water
452 Russell Senate Office Building
Washington D.C. 20510

Dear Senator Wallop:

I am writing this letter on behalf of Wexpro Company and Celsius Energy Company to express our concerns regarding Senate Bill 2801, The Wilderness Protection Act of 1982.

Our main concern is that approximately 37 million acres of land will be withdrawn from mineral leasing without ever being assessed for their energy potential. This withdrawal would also take place despite the fact that many of these areas have not been determined by Congress to be suited for wilderness designation.

RARE II Further Planning Areas were specifically established for the purpose of determining the mineral potential of the land. It is illogical to withdraw these areas from any mineral activity and to prevent any meaningful evaluation of all of the land's resources for wilderness decisions.

The Bill also does not address the critical issue of release language. Language in the Bill which would permanently release for multiple use, RARE II lands found unsuitable for wilderness recommendation, is essential.

Although this letter may reach your office after your public hearing on the Bill, we hope that our comments will be considered when this legislation is further considered.

Very truly yours,

G. A. Peppinger

GAP:wb

My name is David Hastings and I live at 6307 Linden Ave. N., Seattle, WA., 98103. I would like to thank the committee for including this in the hearing record and allowing people like myself to express our concerns about such vital issues as the preservation of wilderness areas. I would also like to thank Senator Jackson for his cosponsorship of S. 2801, the Wilderness Protection Act of 1982. This bill is a step in the right direction to protect our remaining wild areas.

I vehemently oppose potential weakening amendments to S. 2801 such as those which would allow seismic exploration in designated wilderness, exclude potential wilderness from the bill, or include a "hard" release clause to block the Forest Service from studying or managing roadless lands to preserve their wilderness potential. I feel that amendments such as these would render the Wilderness Protection Act less effective.

I believe that absolutely no development should take place in wilderness areas. It is not possible to satisfy both the general public, concerned with preservation of wilderness areas, and development interests. The concept of managing our wilderness areas for multiple uses as Mr. Watt advocates is a complete fallacy and contradicts the original intent of setting aside areas such as Cougar Lakes and Glacier Peak. These pristine areas are valued because they have not been logged or developed in any way. If such activities were to take place they would lose their beauty, charm, and value. Although their worth cannot be bartered on Wall Street as can oil, gas, and metals, these areas are nonetheless extremely valuable not just for the present, but for our children and many future generations.

The necessity to mine and develop these areas is overstated; energy and mineral development in wilderness areas is proposed due to the greed of mining and oil companies for their benefit alone. We do not need the scant resources located in wilderness areas. A recent study showed that less than 5% of the onshore oil and gas is located in potential or designated wilderness areas.

I am particularly concerned with the conviction of Mr. Watt and his colleagues that much of this oil and gas and these minerals are needed for reasons of national security. A more benign and less costly alternative is conservation and recycling of these valuable materials. I do not believe that rising to the false call of national security is a legitimate reason for ravaging our federal lands.

Thus a permanent ban on oil, gas, geothermal leasing and other mineral development in wilderness areas is critical to the concept of a wilderness resource.

David Hastings
6307 Linden Ave. N.
Seattle, WA 98103

20 September 1982

Dear Mr. Jackson,

Could you please submit this testimony for the
hearing record of the Senate Committee on
Energy and Natural Resources?

Thank you.

Sincerely, David Hastings

5529 27 Avenue N.E.
Seattle, WA. 98105
September 20, 1982

Senator Henry A. Jackson
Senate Com. on Energy & Natural Resources
Senate Office Building
Washington, D.C. 20510

Dear Senator Jackson:

RE: S2801 (Hearing September 23, 1982)

Thank you for introducing S2801, designed to protect Wilderness, a complement to House passed HR 6542.

HR6542 is a compromise bill, therefore S2801 cannot afford any crippling amendments if this legislation is to be effective. No "hard release" of protected wilderness being considered under RARE II should be inserted; no deletion of interim protection of lands under study, nor any amendment to allow seismic exploration in wilderness should be added to S.2801. Privatization clauses must be avoided. These ideas have already been tried and defeated in the House.

Please enter this statement in the hearing record of the Senate Committee on Energy and Natural Resources as it considers S2801, the Wilderness Protection Act of 1982.

Sincerely,

Frank Ogilvie

Frank Ogilvie

Senate Hearing
Re: Senate Bill # 5-2801
Washington D.C.

9-27-82

Testimony by Ted B. Johnson

I am a retired carpenter and construction inspector. My home is on Rte. 1, Box 903, Ellensburg, WA. 98926. I am 71 years of age and still enjoy hiking and backpacking in the Alpine Lakes Wilderness. Just last week I climbed Mt. Stewart, so continue to enjoy this beautiful area.

I am testifying in favor of S. 2801 because I believe it will prevent some of the abuses to wilderness and make possible the later evolution of roadless areas into the present wilderness system.

I fully support S. 2801 as presented as an acceptable compromise and am against any amendments which might weaken the bill. I urge passage of the bill in its present form.

I oppose amendments such as the following which might be submitted

(1) Any amendment which might contain the phrase "language to bar the Forest Service from studying or managing roadless areas to preserve their wilderness potential."

(2) Any amendment which might contain permission to use explosives with seismic

testing in designated wilderness areas. Such use would have an extremely detrimental effect on wildlife, as well as spoiling the serenity and peace of the wilderness.

(3) Any amendment which would delete intrinsic protection for lands being studied and considered for inclusion in the wilderness system. Many lands in this category throughout the U.S. need this protection, until the Forest Service and Congress have had the opportunity and the time to study and evaluate these lands for wilderness status.

(4) Any amendment which might set deadlines for Congress to designate wilderness areas. Such a time limit could allow a handful of opponents to virtually block wilderness legislation, and lands not designated by the deadline would be under a development mandate.

I am sure great pressure will be exerted by commercial interests to block passage of S-2501 by attempting amendments such as those listed above. I hope the Senate will defeat any amendment and pass the bill as presented.

There is really no need at this time to explore wilderness or potential wilderness for oil, gas, minerals and geothermal

energy until all other private and public lands have been thoroughly checked for the above reasons.

I believe wilderness is a truly vital and necessary resource of our country. It is a place apart where little evidence of man's impact on the environment can be seen. It is a place where man's energy can be renewed, where his spirit can be rejuvenated, where his day to day problems can be set aside and his life begin anew. In the solitude of nature he can find new meaning in life.

There are those who would destroy these beautiful wilderness areas in their greedy quest for wealth and power. There are others who can only see the short term gain and care little about future generations. We need to show our mad, headlong rush to occupy the world, resources and plan for the betterment of the human condition. One way we can do this is to provide a secure, inviolate wilderness system, not subject to tampering because of the whims of those in power.

I strongly urge you to cast a just vote in favor of S. 2001 as a necessary step toward a secure wilderness system. I thank you for this opportunity to testify.

Sincerely,
Fred C. Plummer

P.S. PLEASE INCLUDE THIS TESTIMONY IN THE OFFICIAL RECORD OF THE HEARING. THANK YOU! F.C.P.

23321 75th Ave W
Edmonds, Washington 98020
September 21, 1982

Senator Henry M. Jackson
Senate Committee on Energy and Natural Resources
Senate Office Building
Washington, D. C. 20510

Dear Senator Jackson:

I am a Trustee of the Alpine Lakes Protection Society but I want to express my support, as an individual, of S. 2801 which would ban further oil, gas, and mineral explorations in designated wilderness areas.

It came as a shock to most Washington State residents to learn this past winter that several applications had been made for oil & gas leases in the Alpine Lakes Wilderness Area just east of Seattle. It came as an even greater shock to find out that the applications were made to the Bureau of Land Management last summer and that the Forest Service, which has management responsibility for the Alpine Lakes, did not even know about them for six months. Furthermore, the Forest Service will apparently have at most only an advisory role as to whether the leases are accepted or rejected.

The largest lease would be for 49,000 acres and would encompass the entire Enchantment Lakes plateau near Wenatchee. Many people consider the Enchantments the crown jewels of the Alpine Lakes. In my opinion, to even think of drilling there would be absolutely ludicrous if the consequences of such an ill-advised adventure were not so potentially disastrous.

To emphasize my point, I am submitting for the record a photostatic copy of the attached pictorial entitled "An Enchanted Alpine Lake" by Richard L. Williams with photographs by Harald Sund. Lake Viviane, the subject of the article, is the first lake one reaches by the main route into the Enchantments after leaving his or her car ten miles behind and 5400 feet below.

I cannot imagine any exploration or drilling going on there without ruining its natural beauty. Yet Lake Viviane lies within the lease application area. The other major Enchantment Lakes (Leprechaun, Rune, Talisman, Crystal, Brynhild) are just as beautiful and just as fragile.

The pictorial is from "The Cascades" which is one of 24 volumes of "The American Wilderness" series published by Time-life Books in 1973-75. The series covers a wide variety of wilderness areas from mountains to deserts to shorelines and even some in urban settings. I recommend it to you and to all members of Congress for a good overview of our wilderness heritage and understanding of why it must be protected.

(2)

Finally, the furor created over the Alpine Lakes situation plus the granting and then retracting of oil & gas leases in the City of Seattle's Cedar River watershed shows a need to put some restraints on the Bureau of Land Management. I would support legislation taking the authority to grant these leases on all federal lands away from BLM and giving it to the agency most directly affected.

Sincerely,

James L. Chapman

James L. Chapman

An Enchanted Alpine Lake

PHOTOGRAPHS BY HARALD SUNG

When the glaciers of the last ice age retreated, about 10,000 years ago, they spangled the Cascades with a necklace of brilliant tarns, ranging in size from bathtub-sized pools up to valley-filling lakes. The most beautiful of the lakes are in the wild fastnesses near the geographical center of the state of Washington.

Here, in the upper reaches of the Stuart Range at the eastern end of this region, lies the Enchantment Lakes Basin. Within it, more than a dozen lakes—pinpoints on most maps—nestle in the crooks of elbowing ridges. Too remote to have official names, these tiny tarns are known only to a handful of wilderness votaries who have devised their own private nomenclature.

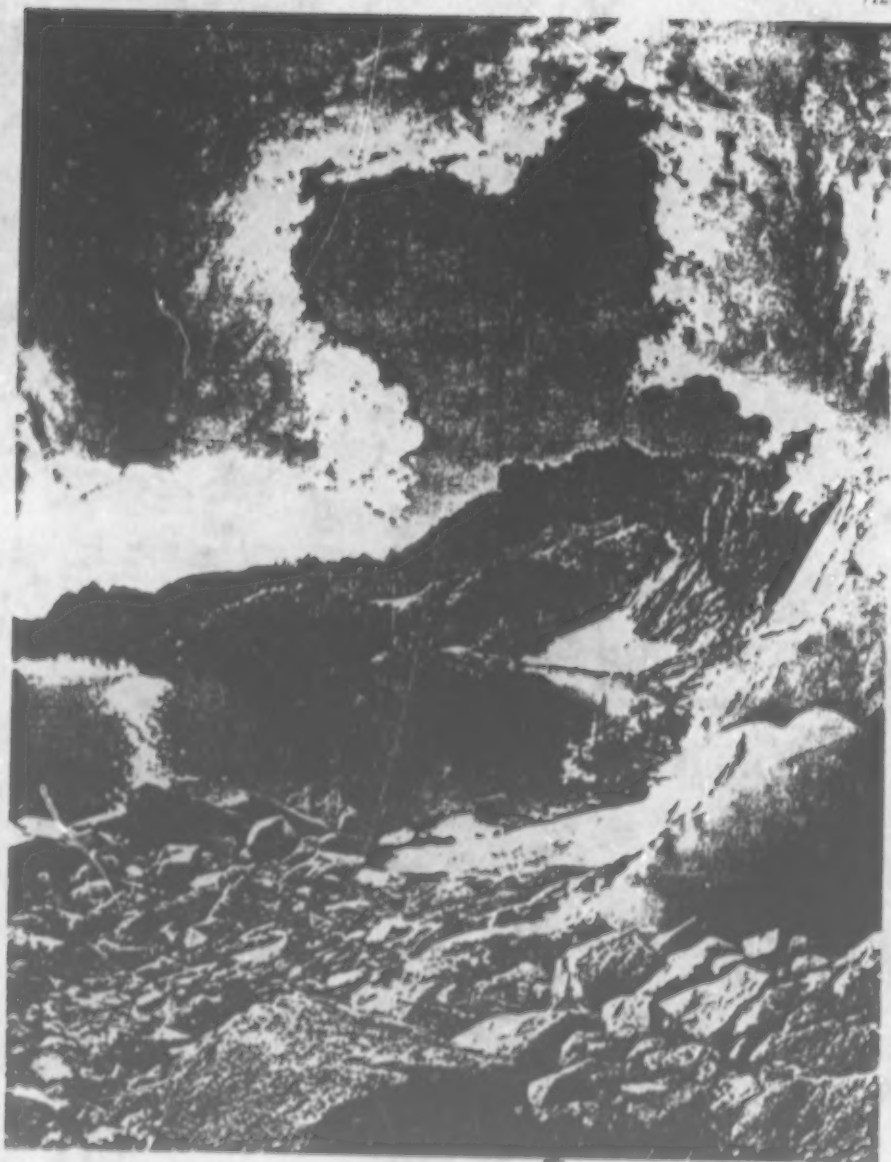
Many of the lakes and other landmarks are of such ethereal beauty that their informal names have been borrowed from mythological tales—Troll Sink, Valhalla Cirque, Lake Leprechaun, Grail Tarn and Lake Viviane, perhaps the loveliest of all. Viviane is named for the Lady of the Lake in the King Arthur legend. In one version of the story, young Arthur received his invincible sword, Excalibur, from the hand that Lady Viviane thrust forth from a fabled lake; before the King died, he or-

dered that his magic sword be taken back to her there.

The Cascades' Lake Viviane is 11 miles from the nearest road and reachable only by a taxing hike up boulder-strewn mountainsides thick with brush. Then suddenly there it is, less than 1,500 feet long, pristinely set in so perfect a microcosmic wilderness that it captures both the eye and the spirit. Its stony bottom is clearly visible some 45 feet below a surface that mirrors shimmering snowfields, icy overhangs (right), miniature alpine meadows and a formidable granitic headwall.

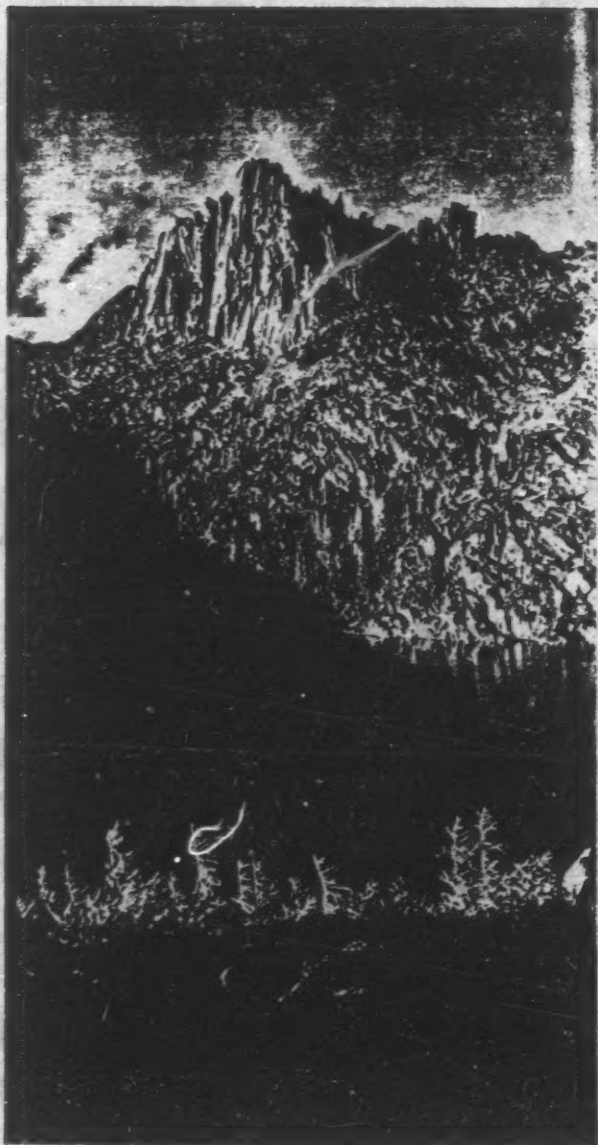
Snow falls here even in summer. Some remains on the ground all year round (pages 124-125), but most of it melts and encourages lush plant growth in the sheltered areas. Lyell's larch—a rare species of deciduous conifer—and whitebark pine, along with some alpine fir and mountain hemlock, grow on slopes carpeted with a colorful mixture of mosses, flowers and shrubs, such as huckleberry, juniper, heather, lupine, veronica and gentian. The greenery sprouts amid brooding glacial boulders, some as big as houses, and even manages a slim toehold on Excalibur, the sword-shaped rock that juts from the lake's northwest shore.

Lake Viviane glistens in crisp autumn sunshine, its southeastern shore curving gently at the foot of McClellan Ridge. In the foreground, water from the icy skirt of a snowfield drips onto a cylindrical rock left behind by the glacier that carved the lake's basin.



122/

The ragged summit of Prusik Peak (left, rear), northern barrier to the Enchantment Lakes Basin, rises 1,000 feet above Lake Viviane. Squeezing through an outlet in the natural dam at center, the lake's waters plunge into Snow Creek to feed the twin Snow Lakes, partly hidden at far right.





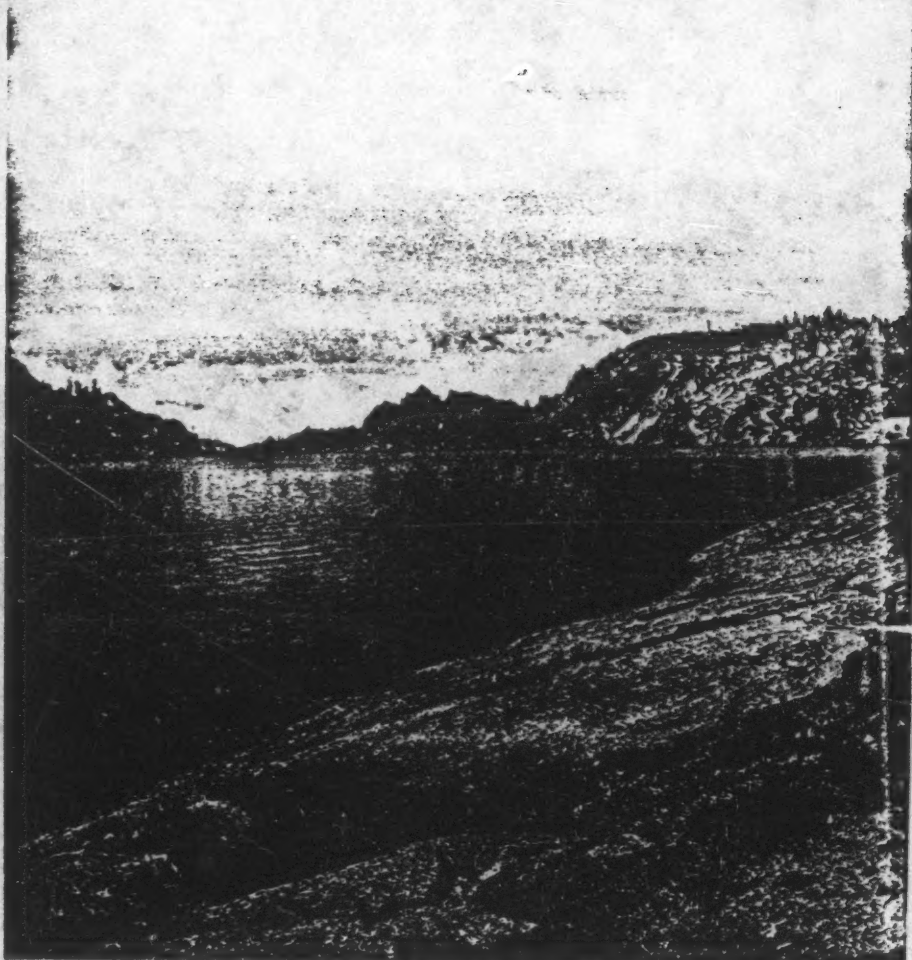
126/ An Enchanted Alpine Lake





White blocks of granite, tumbled along the lakeshore like the ruins of an ancient castle, gleam in the noonday sun. Among the boulders, the alpine soil supports a ground cover of mosses and low-growing huckleberry, and a scattering of green whitebark pines and autumn-gold Lyall's larches.

130/



Excalibur Rock, named for King Arthur's legendary blade, points southeastward into Lake Viviane and the Stuart Range beyond the opposite



Cracks in the rock provide rootholds for plants like the Lyall's larch seedling (foreground) that is turning yellow from fall's first frosts.

9-20-82

Senator Henry Jackson

Dear Senator Jackson

Please submit this statement for the hearing record of the Senate Committee on Energy and Natural Resources in reference to S. 2801

I highly support the Wilderness Protection Bill, S. 2801 and am adamantly opposed to any mineral or geothermal leasing in our nations last remaining wilderness areas. Furthermore, I urge you not to weaken this compromise bill by any further amendments, i.e.,
NO deletion of recommended wilderness or planning areas
NO seismic exploration of wilderness
NO "Hayakawa" type release language

Thank you so much.

Sincerely



Patricia L. Siggs
1950 15 Ave E
Seattle WA 98112

9052 39th Ave. SW
Seattle, WA 98136
September 19, 1982

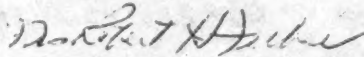
Senator Henry M. Jackson
Senate Office Building
Washington, D. C. 20510

Dear Senator Jackson:

I would like to submit the following statement for the hearing record of the Senate Committee on Energy and Natural Resources concerning the wilderness protection bill, S. 2801.

I wish to express support for S. 2801 and recommend its passage without amendments, specifically those deleting recommended wilderness and further wilderness planning areas, and/or allowing seismic exploration in wilderness areas. I was present, and testified, at the House Interior committee hearing in Seattle on April 16, and believe the unanimous support of wilderness expressed there is representative of public sentiment. Significantly, not one person at the hearing testified in favor of oil and gas leasing in wilderness areas.

Yours sincerely,



Mrs. Robert H. Ferber

Sept 21, 1982

Dear Senator Jackson,

Please include this letter as a part of the hearing record on S. 2801 scheduled for Sept 23, 1982 before the Senate Committee on Energy and Natural Resources.

I suggest S. 2801 as the best chance for wilderness protection that can be obtained at this time.

Congress expressed a national need - a will - when it passed an "enduring" Wilderness Bill in 1964. We are now in a situation where ~~and~~ administration where an administration, speaking and acting through an unstable crackpot of a Secretary of Interior, seeks to subvert congressional intent regarding the concept of wilderness.

There are provisions in the present Wilderness Bill to accommodate emergency conditions regarding mineral entry. There clearly is no such condition now.

7

What is being attempted by the current administration is to implement their special and limited view of the nation's interests - one which doesn't include the concept of wilderness preservation as a legitimate national interest & concern.

I hope Congress is more protective of its role in expressing through legislation the people's and the nation's ^{long-range} interests & desires, and will reject this administrative attack on wilderness lands and the people who have worked so long and hard to enact wilderness legislation.

Please continue to resist efforts to include (1) "land Release" language (2) permission to allow exploratory seismic exploration & (3) the exclusion of potential or candidate wilderness areas - ~~from~~ ⁱⁿ the provisions of S. 2801.

Sincerely yours,

Hal Landsman

Hal Landsman
Rt 1 Box 242
Elkensburg, W. Va.

copy to Senator Gorton

4664 1st Ave NE
Seattle, WA 98105

Sept. 19, 1982

Sen. Henry Jackson
United States Senate
Washington, D.C. 20501

Honorable Senator Jackson:

I am writing concerning S. 2801. I would appreciate it if my opinions as expressed in this letter could be submitted for the hearing record of the Senate Committee on Energy and Natural Resources.

I would like to see S. 2801 passed in the same form as it is currently presented. I fear that the bill, which in my opinion already offers less than ideal protection for our wilderness areas, may be weakened by anti-wilderness amendments. I understand that there are some senators who would like to bar the Forest Service from studying or managing roadless lands to preserve their wilderness potential, would like to limit protection exclusively to present wilderness areas, and would permit the use of explosives with seismic testing in these wilderness areas. Blasting sites and wilderness areas are mutually exclusive forms of land use. Freezing wilderness areas so that our natural heritage cannot be an expanding legacy would be a sorry mistake.

I understand that not everybody feels the need to immerse themselves in nature. I know that not everyone experiences the revitalization of the spirit which I experience when I leave behind the sound of automobiles when backpacking. I ask that these people understand the needs of a substantial portion of Americans who do find wilderness experiences essential to their physical and mental well-being. It is vital that there remain quiet areas, minimally disturbed by human activity, not only as havens for animals and plants, for watersheds to have the chance to generate clean water and the vegetation to generate clean air, but also as a haven for the ever growing number of people pursuing the chance to be one with their natural heritage.

Thank you for listening to my opinion.

Sincerely,

Marjorie Ann Leone
Marjorie Ann Leone



Telegram

NAC078(1531)(4-033768265)PD 09/22/82 1350

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PMS SENATOR MALCOLM WALLOP RPT DLY MGM

CAPITOL ONE DC

DEAR SENATOR WALLOP:

THE NEW JERSEY HIGHWAY USERS CONFERENCE STATEWIDE MEMBERS WANT OUR COUNTRY TO MAKE PROGRESS TOWARDS ENERGY INDEPENDENCE, WHICH WILL BENEFIT NEW JERSEY CITIZENS AND OUR COUNTRY. WE OPPOSE S-2801 BECAUSE THIS BILL LOCKS UP FEDERAL LANDS FROM PETROLEUM EXPLORATION WITHOUT KNOWING THE OIL POTENTIAL FOR MOTOR FUEL USE. WE FEEL S-2801 IS AGAINST OUR STATE AND NATIONAL INTEREST.

WE ASK THAT YOU ENTER THE ABOVE STATEMENT INTO YOUR COMMITTEE HEARING RECORDS.

THANK YOU FOR YOUR CONSIDERATION. SINCERELY

ARTHUR D MCTIGHE CHAIRMAN NEW JERSEY HIGHWAY USERS CONFERENCE

WU 1201-SF (R5-68)

SEP 23 PM 8:15



Telegram

170 WEST STATE ST
TRENTON NJ 08608

NNNN

WU 1201-SF (R5-68)